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HONOLULU, H. T., TUESDAY, MAY 28 1901.—SEMI-WEEKLY.

WHOLE NO. 2284

ASK CASH FOR VOTES

Coerper Tells of Solicitations of Money.

THE Grand Jury yesterday undoubtedly heard testimony bearing directly upon the solicitation of bribes by members of the Legislature. During the afternoon session of the Grand Jury J. L. Coerper was called as a witness. Mr. Coerper is the client of Mr. Lorin A. Thurston, whose refusal to divulge the statements made to him in his professional capacity brought down upon him the wrath of the First Circuit Court.

The business in connection with which the bribes were asked is the Kona-Kau Railroad, of which Mr. Coerper is the projector. While his testimony is not known, the following affidavit indicates that it might well be sensational, as without doubt Mr. Coerper would give the names of the legislators:

COERPER TELLS HIS STORY.

Honolulu, Oahu, Territory of Hawaii, ss. Jacob Coerper, being first duly sworn, on oath deposes and says:

Having ascertained that the matters hereunder stated have become subjects of inquiry by the Grand Jury and that my attorney, Mr. Thurston, has had his personal liberty put into jeopardy by preserving the confidence I reposed in him as my attorney, I feel that it is my duty to now make the following disclosures:

During the late session of the Legislature I secured the introduction into the Senate of a bill granting to Jacob Coerper and his associates a franchise to build a railroad through Kona and Kau, on the Island of Hawaii. The bill passed the Senate and in due course was sent to the House of Representatives.

Shortly after the bill was sent to the House of Representatives I called upon six or seven members of the House to explain the objects of the bill. My interview with each member was separate from the others. One of the Representatives that I saw said to me, "What is there in it?" I said, "Well, what do you expect?" He replied, "It ought to be worth to you \$1,000." I understood by this that he meant that I should pay him \$1,000. I replied, "No; I will not pay anything." He thereupon walked off and nothing more was said.

A second member of the House to whom I spoke used almost the same words when I spoke to him, asking me what there was in it for him, and I replied, "There is nothing in it for you."

"DON'T HAVE LASH."

A third member of the House to whom I spoke said to me, "If you want me to vote for this bill it ought to be worth at least a thousand dollars to you." I said, "I haven't got the money." He then said, "Unless you pay me the thousand dollars your bill will not go through." I said, "Well, then, I can't help it," and I left him.

This action of the Representatives discouraged me so that I felt that it was probably an impossibility to get my bill through the House. I accordingly consulted Mr. L. A. Thurston, who has been my attorney for many years, stating to him what had happened and the demands that were made upon me by the members of the House of Representatives. I stated to him practically what I have above stated and also some additional matters in connection with the same question. I asked his advice as to whether it would be possible for me to proceed in any other way than by a franchise from the Legislature. He said that he thought it would be legal if I could secure privately rights of way for my railroad without a franchise from the Legislature, as the principal object of the franchise was to give the power to condemn rights of way which could not be obtained by private agreement.

I had several interviews with Mr. Thurston upon this subject and finally decided to adopt this method and at my request Mr. Thurston drew up for me terms of agreement for securing rights of way for a railroad through Kona and Kau.

SHOULD BE MADE PUBLIC.

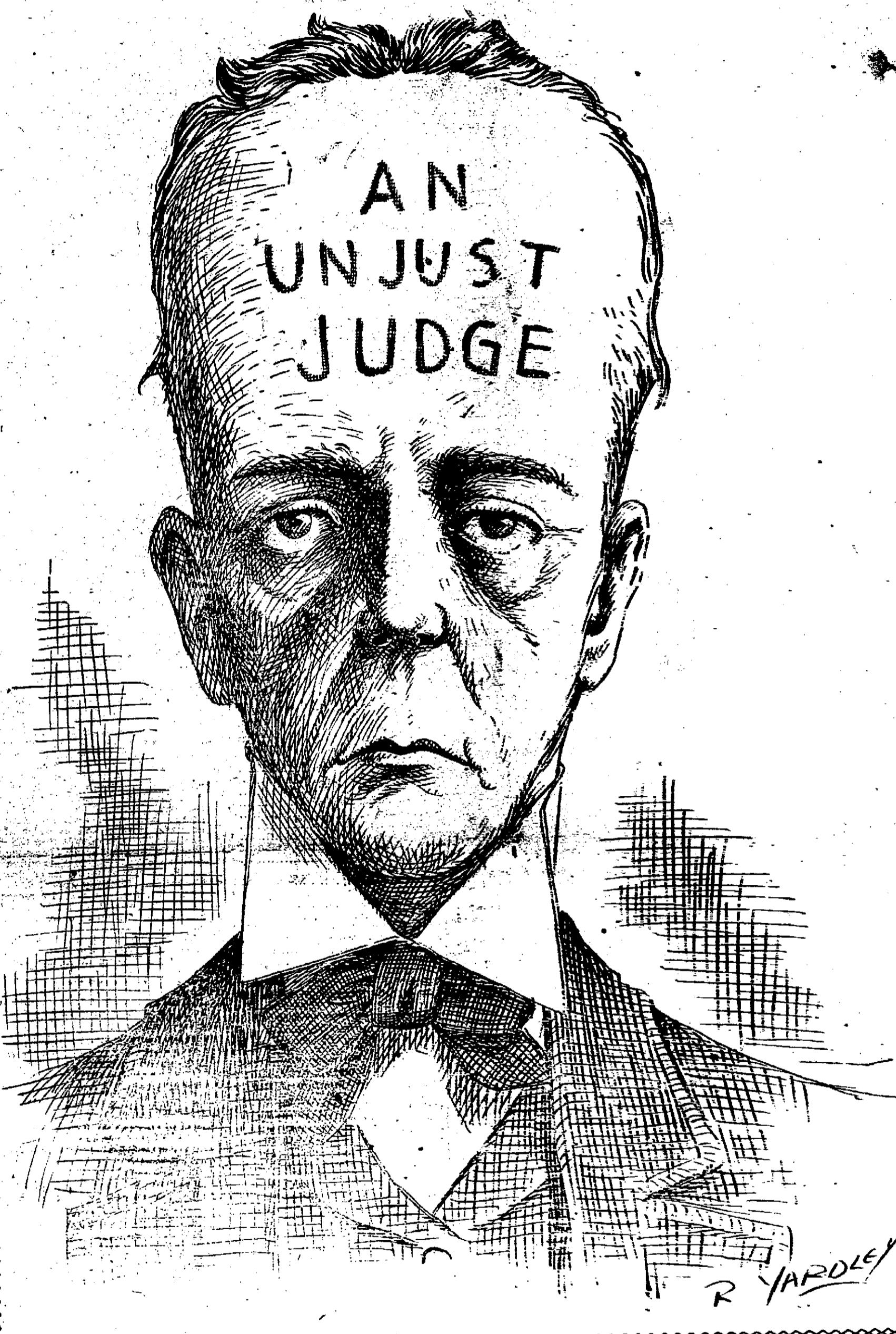
When I first told Mr. Thurston of the actions of the Representatives above referred to, he asked my permission to make the matter public. I said I should be very glad to make it public, but as certain members of the Legislature have influence in Kona and have influential friends here, they have it in their power to prevent me getting a right of way, and as I have already spent a large amount of money in having surveys of the line of railroad made and am not a rich man, they are in a position to ruin me as they will not let me have a franchise from the Legislature without paying for it and can prevent my getting private rights of way if I offend them; that if I found that I could not get my rights of way, or if I secured them so that they could not injure me, I would be very glad to make the matter public, for I felt that it was an outrage.

I accordingly made my preparations to go to Kona to secure the said rights of way and left here on the Mauana Line, May 16th last.

On the morning that I went away Mr. Thurston again asked me if I didn't think it possible to make public the demands which had been made upon me by the members of the Legislature, as he thought that it was fair to the public and Governor Dole that any evidence bearing on this point should be given. I think he stated that he wanted it to go to the Grand Jury.

I again stated to him that my financial interests were so great in the matter that I did not feel that at the present time I could afford to offend the persons who had made the propositions to me and who had influence in Kona, but I

BRANDED.



QUESTION OF VERACITY.

When this affidavit was made public Mr. Lorin A. Thurston sent to the editor of the Star the following communication:

Editor Star: In Judge Humphreys' decision last week, adjudging me guilty of contempt of court in refusing to disclose to the Grand Jury the name of my client, he went outside of the record, there being no suggestion of lack of bona fides on my part on the record, to indicate that I represented "some mysterious, unseen and occult client," and that my refusal to give his name is the merest pretense for an evasion of the duty and liability of a witness and the duty and liability of an officer of the court to obey its process.

I was not in position to refute these gratuitous defamatory and malicious charges except with the permission of my client, Mr. Jacob Coerper. He went to Kona before I was summoned before the Grand Jury and consequently knew nothing of what had taken place. I accordingly caused a wireless telegram to be sent to him last week asking him to come to Honolulu. He came on the Kinau last Saturday and through you makes a statement today of his knowledge concerning the matter.

I do not consider it necessary to sustain my reputation for veracity in this community to prove that Judge Humphreys' wanton charges are untrue, but simply refer to Mr. Coerper's statement

as part of the record in this matter.

LORIN A. THURSTON.

During the afternoon session, upon the calling of Mr. Coerper, Mr. Gear came to the door of the jury chamber and advised Representative Robertson and A. P. Taylor, who were in waiting as witnesses, that the jury was holding up an important matter, and consequently excused them until this morning.

Other witnesses examined yesterday were A. W. Pearson, Mr. Seyde and Mabel Herrick.

It was insistently rumored on the streets and in the corridors of the Executive building yesterday that Turk and Lewis are endeavoring to obtain a hearing from the Grand Jury, with a view to the indictment of Mr. A. W.

Pearson for perjury. The twins were closeted with Judge Humphreys yesterday morning, presumably over the same matter, and were, hat in hand, hanging around the Grand Jury quarters during the afternoon.

ESTATE FOR GOVERNOR.

It is reported from San Francisco that Judge George Gear is at work in the interests of M. M. Beebe for Governor of Hawaii.

Glass Again.

SAN FRANCISCO, May 21.—A motion for a new trial for Robert E. Glass, recently convicted on charge of murder in the first degree for the killing of William Trewhella in the Windsor Hotel last January, was argued before Judge Duane yesterday. On behalf of the defendant it is urged that the court erred in making certain instructions to the jury and refusing to give others, and that error was committed when the court sustained the District Attorney in his refusal to produce an alleged statement made by one of the witnesses in the case. Judge Duane took the motion under advisement.

New Bonds Offered.

NEW YORK, May 21.—An application of the Union Pacific Railway to the Stock Exchange has been posted at the Exchange to list \$20,000,000 first mortgage collateral trust convertible 4 percent bonds. This is the total amount of these bonds authorized by the company, including the \$8,000,000 already sold to finance the Southern Pacific purchase. The application as posted does not mention the collateral for the bonds or the purpose of the \$20,000,000 bonds which have not yet been issued, and which it is estimated about \$10,000 in re-crafting and modernizing the main grants. Favorable reports from Hawaii have caused a continuation of the migration.

SAN JUAN DE PORTO RICO, May 21.—Nine hundred emigrants embarked on the steamer California, at Guanica, for Hawaii to-day, leaving 600 more ready to sail. Joyous manifestations accompanied the departure of the emigrants. Fourteen weddings and forty-eight baptisms took place Sunday. The emigration agents are spending. It is estimated about \$100,000 in re-crafting and modernizing the emigrating. Favorable reports from Hawaii have caused a continuation of the migration.

WISE MEN OF HAWAII

Senate Talks Over the Old Tug Eleu.

(From Saturday's daily)

The Senate convened at 2 o'clock yesterday afternoon, and after going through the usual preliminaries, settled down to the occupation of listening to committee reports. But one report was presented, however, that by the Committee on Public Lands, and when talk on the matter had continued for an hour and half, the conclusion was reached that it was time to adjourn. The following is the committee report:

Hon. E. E. Kalue, President of the Senate.

Sir: Your Committee on Public Lands, to whom was referred item for "Pay roll, steam tug," would report as follows:

Your committee find the pay roll as follows: Captain, \$150 per month; mate, \$100 per month, engineer, \$150 per month; two deck-hands, \$88 per month; two firemen, \$104 per month; total, \$550 per month. Two years, \$1,300.

Your committee find to this is to be added the sum of \$20,000 for coal and other expenses, making the total expense of the tug \$33,300 for the two years.

We also find that since the arrival of the Fearless the Government tug has not been paying but losing money as far as towage of vessels go. The only saving to the Government has been in the removal of garbage and carrying piles, etc., in the harbor.

This bill provides for a garbage crematory which, if built, will do away with the need of the tug for this work.

Your committee do not consider it is wise for the Government to try and compete with private enterprise in the matter of towage of vessels.

We would therefore recommend that the appropriation be inserted for one year at the rate asked for, or until the garbage crematory is erected and then the tug be dispensed with.

J. D. PARIS.

JOHN T. BROWN.

L. NAKAPAHU.

Senate Chamber, May 21, 1901.

Senator Paris led off in defense of the report, and moved to adopt it.

Senator Russel followed, and showed several reasons why the tug Eleu should be discontinued as government property. If the government boat was discontinued, the tug Fearless would have things its own way, was his argument, and in consequence would be an increase in the price of towing, etc. The Board of Health needed a boat in which to make their trips to Molokai and other points, and if the government tug was not available, they would have to resort to the tug Fearless or some other boat and would have to pay an exorbitant price for its use. He therefore was in favor of keeping the tug, as it is in a good serviceable condition for what it is used for.

Senator Russel then moved to retain the item as the bill.

Senator Carter said it was a necessity to have such a vessel. The tug, he said, might prove of great service in saving life, and cited the instance of the little boy who was supposed to have been carried out to sea a short time ago. If the tug Fearless or any other boat had been asked to search for the boy they would have asked a good round sum for such work. In many other cases, he said, the boat had proven its usefulness, and besides had almost paid for itself in towing the garbagage to sea.

"We are not in the days of the Monarchy, but in the regime of the Territory of Hawaii," said Cecil Brown, "and the government should not enter into competition with private enterprises of this kind. The boat is totally unfit for further service, and besides is not a paying proposition. When the government crematory is built there will be no further use for the tug, and it would then become an elephant on their hands."

Senator Kanaha remarked that if the other vessel was doing all the business, as is a well known fact, the government tug was a losing proposition. So far as the saving of life was concerned, the Federal government had a boat that could be used for that purpose.

Senator Paris said the committee had been informed by the treasurer that the cost of maintaining the tug amounted to over \$17,000, whereas the receipts were only \$9,500, a loss to the government of nearly \$8,000. The committee felt that it was necessary as long as it was necessary to haul the garbage to sea the boat would pay for itself, but as soon as the government crematory was established, which has been recommended, the boat would be a loser. The statement made that he had been made a tool of by parties interested, he wanted to tell his friend Carter, was not the case, as he had not received any instructions one way or another and as far as the Fearless raising the price on towing, etc., was concerned, that would be the means of bringing other boats into competition with her.

Senator Achi said it would cost the government \$75 per day to hire a boat to do what the government tug was doing, at a cost of less than \$50 a day. In regard to the remark that competition would arise if the other boats raised the price, he said such would not be the case, and referred the Senators to the meat market that had been doing business here for so many years, and when a competitor appeared in the field how everybody said a fall in prices would be the result. But such was not the case, he continued, they had combined, and the same would be true of the tug business here. If the boat in question was done away with, the members would some day be sorry that they ever favored such a proposition.

Senator C. Brown then rose, and after making a few more remarks, moved the previous question, in order to shut off the "wind."

Upon Senator Baldwin's motion the committee report was adopted.

Under the suspension of the rule Senator Nakapahu presented the following resolution, which was lost:

Resolved, That the clerk of the Senate be and he is hereby directed to cause the journal of the extra session of the Senate to be printed in the English and Hawaiian languages, and to furnish each Senator with ten copies of each day thereof, and also to have such journal bound with the journal of the regular session heretofore ordered by resolution.

L. NAKAPAHU.

Senator Crabbe, who had been looking at frequent intervals at the thermometer lying in his desk, finally pulled it out, and after applying a match to it, in order to make a better showing, shoved it under "Oily Bill's" nose who, upon looking at it, jumped to his feet, and with his eye balls almost starting from their sockets, moved to adjourn, and showed the thermometer to the president, which registered 118 degrees.

A great commotion then ensued as to what time they should adjourn to "Oily Bill" wanted the time set at 10 o'clock. Kanaha and others wanted it at 9 o'clock today, which finally carried The Senate adjourned at 3:50.

PROCEEDINGS OF THE HOUSE

The House spent another day without accomplishing much of anything. Several reports were presented, but until they are all in, nothing like a systematic consideration of the appropriation bill can be taken up. At least, the House so decided, after spending all day finding it out. There was another tilt between Makauka (Ind.) and Emmeluth (Ind.), and it is exactly the lack of organization among the Independents that delays things. Makauka aspired to be leader of the party on the floor of the House, and was given chairmanship of committee on rules at the beginning of the regular session, which position he still holds, notwithstanding his adherents declared on the floor of the House "Goodbye Home Rule," and the Makauka faction, consisting of himself, Ewaliko (East Hawaii), Nalima (East Hawaii), Kekaula and Keikukoa (both West Maui), to all intents and purposes, bolted their party during the last days of the regular session and have not shown signs of coming back into the fold since. Thus five of the Hawaian delegation belong to the Makauka faction, and of the other three, one (Monsarrat) is to all intents a Republican. This bolt from the Big Island is not to be lightly considered, and so far as is apparent no attempt has been made to read them out of the party, or to refuse them admission to the Independent caucus on account of their attitude. Until this split is fixed, little need be expected from the House of Representatives in the way of legislation, for it leaves them a bare majority of "stalwarts" of sixteen members, including the speaker.

The first thing in order was the message from Acting Governor Cooper, which had already been sent to the Senate, and has been published in these columns. As soon as it was read, Emmeluth (Ind.) moved to lay it on the table, as the matter of the authority of the Acting Governor to hold office is before the courts for determination. The motion was in the form of a resolution, and Makauka (Ind.) at once objected, as being out of order, the heading "resolutions" not having been reached on the order of business. Emmeluth then changed it to a motion, and it went through, but not before Aylett (Rep.) had moved to refer the matter to the Judiciary committee. Kaniko (Ind.), one of the "stalwarts," surprised the House with an objection to tabling the resolution, on the ground that the members had recognized the authority of Mr. Cooper to act as Governor by drawing their salary on the bill that had been signed by him as such Acting Governor. Hooga (Rep.), who always sees something of an amusing nature in the proceedings, suggested that the logical conclusion to draw from the tabling of the message was that the members should all go back to Treasurer Wright and hand in their little \$200 and mileage. Kuhimale (Rep.) objected to this, as he said he had already spent the money, as had most of the others from the expressions passed.

The next matter to come up was the communication from the attorneys of the Oahu Railway and Land Company, who evidently think that their subsidy is in danger. The communication was as follows:

Honolulu, May 22, 1901.
To the Finance Committee of the House of Representatives of the Territory of Hawaii.

Gentlemen. We beg to call the attention of your honorable committee to the inclosed statement of subsidy to which the Oahu Railway and Land Company is entitled and which becomes due during the current biennial period, the amount of which is \$73,800.

The wisdom of the Legislature of 1890 in granting this aid to the O. R. & L. Co. has been fully justified by the vast amount of taxable property which has come into existence through the construction of this road. The road would never have been built without the subsidy. If it had not been built, the Ewa and Waialua districts would have remained undeveloped to the present time. The question before your honorable body at the present time is not should the subsidy have been granted, but should default be made?

The credit of the Government was pledged to assist in the construction of this railroad. Bonds were sold and purchased by the public, and obligations were entered into on the faith of this undertaking on the part of the Government. The subsidy therefore became a part of the national obligations standing exactly on the same footing as the national debt. Default cannot be allowed to take place in the payment of the one any more than of the other without impairing or destroying the credit of Hawaii.

We therefore beg to submit this matter to your attention in order that the proper appropriations may be made, and to prevent any default through oversight. Respectfully yours,

HATCH & MILLMAN,
(By F. A. H.)
Attorneys for O. R. & L. Co.

Honolulu, May 22, 1901.

TERRITORY OF HAWAII TO OAHU RAILWAY AND LAND CO., DR.

The subsidy accrued and to become due under and by virtue of chapter 82 of the Laws of 1898. Accrued third annual installment of subsidy due and payable on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 June 20, 1901. Fourth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 22 miles at \$700. 15,000 December 31, 1901. Third annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 June 30, 1902. Fifth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 23 miles at \$700. 15,000 December 31, 1902. Fourth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1903. Fifth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1904. Sixth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1905. Seventh annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1906. Eighth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1907. Ninth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1908. Tenth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1909. Eleventh annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1910. Twelfth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1911. Thirteenth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1912. Fourteenth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1913. Fifteenth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1914. Sixteenth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1915. Seventeenth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1916. Eighteenth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1917. Nineteenth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1918. Twentieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1919. Twenty-first annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1920. Twenty-second annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1921. Twenty-third annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1922. Twenty-fourth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1923. Twenty-fifth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1924. Twenty-sixth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1925. Twenty-seventh annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1926. Twenty-eighth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1927. Twenty-ninth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1928. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1929. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1930. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1931. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1932. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1933. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1934. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1935. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1936. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1937. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1938. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1939. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1940. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1941. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15 miles at \$700. 15,000 December 31, 1942. Thirtieth annual installment of subsidy accruing this date on the extension of the main line of the Oahu Railway & Land Co. from Waialua to Kahuku completed and accepted by the Minister of the Interior as of December 27, 1898; 15

HUMPHREYS' LAWYER MILL AND THE REASONS FOR IT.

The general public has known that Home Rule members of the Legislature were being put through the law mill at Judge Humphreys' office at a rapid rate, but few have any conception of the bare-faced indecency of the railroad methods pursued, or to the extent to which they have been carried, or of the causes leading to them.

Here are some of the peculiarities of the procedure:

The law permits both the Supreme and Circuit Courts to admit practitioners in the District Courts.

The Supreme Court long ago established a rule prescribing the method of application and course of procedure. This rule is as follows:

Applications for admission to the Bar of the Supreme Court, OR OF THE LOWER COURTS, shall be by petition in the applicant's handwriting, setting forth his age, birthplace, nationality, last place of residence, and the character and term of his study. Sufficient certificates of the applicant's good moral character, and if he be a member of the Bar of any other court, the certificate of his admission to such Bar shall accompany the application.

This rule is still observed by all the judges except Judge Humphreys who, for the benefit of his Home Rule legislative friends, has cut loose from all rule.

Between April 17th and May 2d last, just fifteen days, Judge Humphreys admitted eighteen persons to practice law. Of these one is a Home Rule campaign leader; one is the assistant clerk of the Home Rule Legislature and sixteen are Home Rule members of the Legislature, six Senators and ten Representatives.

The applicants did not file petitions in their own handwriting. Instead, Judge Humphreys directed one of the clerks of the court to make up batches of blanks, five or six at a time, one being an original, and the remainder carbon copies. These blanks were filled in and signed.

The petitions do not set forth the place of residence of the applicants, nor do they set forth "the character and term of his study." There are no accompanying certificates of the applicant's good moral character.

The modus operandi of the law mill was for an applicant to get a typewritten blank from the clerk, fill it out, or get the clerk to do it for him, take it to Judge Humphreys, get his approval, sometimes within five minutes, come back to the clerk and get a license to practice law.

There was no examination of the applicants, for the good reason that the Judge speaks no Hawaiian; with a few exceptions the applicants speak little or no English, and the bulk of the petitioners know so little law that they cannot tell the difference between a subpoena and a probate decision. It was literally a case of "make you a lawyer while you wait."

The following is the list of those who were run through the legal hopper during the fifteen days named: Senator Kanaha, who is the tailor at the Kamehameha School, and very good tailor, too, slipped a cog and did not undergo the milling process until May 15th. It is stated that he appeared with the others, but acknowledging, as the others didn't, that he had not read the Civil or Penal Code, he was told by Judge Humphreys to first do this. He returned two weeks later and announced that the prescribed course of study was complete. The mill wheels thereupon revolved for five minutes and produced "David Kanaha, Attorney-at-Law."

PRODUCT OF THE HUMPHREYS' LAW MILL.

Name—	Date	Date	Application	Licence.
1. M. H. Kanaho	April 17	April 17		
2. R. Fukui	18	April 17		
3. J. W. K. Keiki	18	April 17		
4. George P. Kaufmakaole	18	April 19		
5. D. Kalanakalani	19	April 19		
6. J. R. Kaohi	20	April 20		
7. L. Nakapashu	21	April 21		
8. J. H. Kahilina	22	April 22		
9. S. K. Fua	22	April 22		
10. William White	23	April 22		
11. F. W. Beckley	23	April 22		
12. S. H. Hashoo	23	April 22		
13. J. K. Kekaula	23	April 22		
14. Benj. K. Kane*	23	April 22		
15. John T. Brown	23	April 22		
16. William Moesman	23	April 22		
17. R. H. Makau	23	April 22		
18. H. Kanahilo	23	April 22		
19. David Kanaha	15	May 15		

* Not a legislator or politician so far as known.

A SIGNIFICANT SIDE LIGHT.

A sidelight is thrown on the whole procedure by the fact that on April 29th, one H. P. Hailea filed a petition to be admitted to practice, accompanied by a certificate of good character and competency to practice, signed by eleven people, including Judge Wilcox.

Mr. Hailea did not have the good fortune to file his application on one of the Humphreys' patent carbon blanks, warranted to take immediate effect, and the still greater misfortune not to be a member of the Legislature.

He was told by the Judge to call again next day, and on the next day was further advised to call again in six months.

At the identical time that this wholesale presentation of lawyers' licenses to members of the Legislature was going on there was pending before the Legislature a bill drawn by Judge Humphreys, which held concealed within its ambiguous phrases a power which he claims takes away from the clerk of the Supreme Court and the high sheriff the duty of drawing juries; a power which they have held by law for years, and which places the absolute power in Judge Humphreys to draw through any bailiff appointed by him, not only Grand Juries but the regular juries which try the indictments found by such Grand Juries.

In pursuance of his claim he has appointed C. A. K. Hopkins, an inexperienced young Hawaiian, and Oscar Lewis, of Lewis & Turk, as his bailiffs. Mr. Hopkins purports to have selected the Grand Jury to find indictments, and Mr. Lewis is in line of succession to stand sponsor for the regular jury to try such indictments.

TEXT OF THE BAILIFF ACT.

This is the Bailiff Act, smuggled through the Legislature, under which Judge Humphreys claims that the power to draw grand and petit juries is taken away from the clerk of the Supreme Court and the high sheriff and given to his personally-appointed bailiffs, C. A. K. Hopkins and Oscar Lewis:

ACT 10.

An Act Relating to the Appointment of Bailiffs for Certain Courts in the Territory of Hawaii and Defining the Duties and Powers of Such Bailiffs and Fixing the Amount of Their Compensation, and Providing for the Payment of Such Compensation.

Be it enacted by the Legislature of the Territory of Hawaii:

Section 1. That the Chief Justice of the Supreme Court be and he is hereby authorized to appoint a bailiff for the Supreme Court, and upon extraordinary occasions to appoint such additional number of bailiffs as he may deem necessary for a period not exceeding ten days.

Section 2. That the several judges of the several Circuit Courts be and they are hereby authorized to appoint a bailiff for their respective courts; Provided, that each of the Judges of the Circuit Court of the First Circuit may appoint a bailiff; and, Provided, that during any term of the Circuit Court, the presiding Judge thereof may appoint such additional number of bailiffs as he may deem necessary.

Section 3. That it shall be the duty of the several bailiffs appointed under this Act to at all times preserve order in the courts of which they are appointed and under the order and direction of the Judges of such courts to execute their commands and make proclamation of their orders, judgments and decrees and to serve and to otherwise execute under the order and direction of the Judges aforesaid all and every process issued by said Judges or issued out of their respective courts; and while so serving or executing any of the orders, directions, commands and process aforesaid, said bailiffs shall have and they are hereby vested with all of the power and authority enjoyed and possessed by sheriffs.

Section 4. That every bailiff appointed under the provisions of this Act shall hold his office during, and only during, the pleasure of the Chief Justice or Judge appointing him, as the case may be.

Section 5. That the bailiffs appointed under the provisions of this Act shall be paid for their services at and after the following rates, and it shall be the duty of the Auditor of the Territory of Hawaii to draw a warrant for the same upon the Treasurer of the Territory of Hawaii, upon an order so to do under the seal of the court, of any Judge of the Court by whom any such bailiff may have been appointed; that is to say:

The bailiff of the Supreme Court per month \$100
Additional bailiffs at the rate per day 500
The bailiff of the First and Fourth Circuits per month \$500
The bailiff of the Second, Third and Fifth Circuits per month \$500
Additional bailiffs for the several Circuit Courts, per day, for each day of actual service 500

Section 6. This Act shall take effect and be in force from and after the date of its passage.

Approved this 26th day of April, A. D. 1901.

SANFORD B. DOLE,
Governor of the Territory of Hawaii.

Germans for Samoa.

Mr. G. Kunst of Samoa, well known here, the purchaser of the steamer Ringarooma for the Samoa-Hawaiian trade, has bought up all the available land in Samoa, some 11,000 acres, and as a result the land values on Upolu have doubled within the past year. Mr. Kunst intends to bring out a number of German immigrants to Samoa, where he intends starting coffee plantations, the land and climate being well adapted for the purpose. It is stated that Mr. Kunst intends to have a couple of steamers constructed in Germany to run in conjunction with his present vessel in the island trade.

A VERY REMARKABLE REMEDY.

"It is with a good deal of pleasure and satisfaction that I recommend Chamberlain's Collo, Cholera and Diarrhoea Remedy," says Druggist A. W. Sawtelle, of Hartford, Conn. "A lady customer, seeing the remedy exposed for sale in my showcase, said to me: 'I really believe that medicine saved my life the past summer while at the shore,' and she became so enthusiastic over its merits that I at once made up my mind to recommend it in the future. Recently a gentleman came into my store so overcome with cold pain that he sank at once to the floor. I gave him a dose of this remedy which helped him. I repeated the dose and in fifteen minutes he left my store smilingly informing me that he felt as well as ever. Sold by all dealers and druggists. Benson, Smith & Co., Ltd.

IRISH PAPER IS SEIZED Foul Attack on the Sovereign of Britain.

LONDON, May 11.—The Times says "The Irish People" was seized after publication, and many copies had been sold. It contained a foul and obscene attack on the King in connection with the action of Archbishop Vaughan and the English Catholics recently in presenting a royal address. The libel was comparable in falsehood and bad taste, to the worst outbreaks of the French gutter press during the Fashoda period.

In the House of Commons, Mr. Wyndham, Chief Secretary for Ireland, said the seizure was effected without a warrant under the common law. He had authorized the preservation of evidence and the prevention of crime by stopping the further dissemination of a seditious libel.

Mr. John Dillon, in moving the adjournment of the House, did not attempt to justify the language used by the paper, but censured the suppression of freedom. Neither the Viceroy of Ireland, nor Mr. Wyndham, nor the House of Commons was competent to judge what was sedition. It was a question for the courts.

Mr. Redmond, in seconding the motion, said the Executive was in reality attempting to suppress the United Irish League.

Mr. Wyndham, in replying, claimed personal initiative and responsibility for seizure. The publication was a gross and scandalous libel. He would not soil his lips by reading the outrageous, scurrilous, loathsome and false attacks on the King, and offend the ears of members of the House and wound the feelings of millions of the King's subjects throughout the world. Not only would the Government suppress it, but it was the duty of any loyal subject to intervene. The libel was couched in language fouler than any used abroad in regard to the late revered Queen. A prosecution would probably do more harm than good.

Mr. Balfour, in the course of a speech, asked: "Is the publication of an obscene libel a necessary weapon of political agitation?"

The question was received with angry Nationalist protests.

Mr. Balfour continued: "Why then, did what is described as their leading organ stoop to use the foul and poisonous weapon of seditions and obscene libel?" Mr. Balfour went on to say that owing to his very high position the King was less able than any of his subjects to repel attacks. A gross offense against decency and morals had been committed. If the Nationalists were aggrieved the courts were open to them. The suppression of nauseous attacks on the private character of the Sovereign did not affect the great and sacred cause of the freedom of the press.

Mr. Asquith re-echoed Mr. Balfour's sentiments.

The motion for adjournment was negatived by 252 against 84.

Ten Radicals voted with the minority, and a number of Liberals and Radicals abstained from voting, objecting to Mr. Wyndham acting judicially and the police not being furnished with warrants. The bulk of the Liberals voted with the Government.

"The Irish People" has made a long series of attacks on the Government and the Empire.

There is a consensus of opinion that the latest article will create antagonism between the English Catholics and the United Irish League.

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SOME WORLD NEWS.

LONDON, May 12.—The destruction of Hartbeestfontein greatly hampered Commandant De la Rey, who retreated to Walmaranstad, on the southwest border of the Transvaal, where the late Boer capital was established.

The result of the combined British movement in the bush veldt and Pietensburg district of the Northern Transvaal was the surrender or capture of 1,500 armed burghers.

The enemy were less able to support the bush campaign than the British when the roads and drifts were blocked.

A laager was surprised at Vaalstad, and six Boers killed and four wounded.

LONDON, May 11.—Reuter's correspondent states that Lord Methuen, at Binsfontein, recaptured a gun taken by the Boers at Nitral's Nek. Four Boers were killed and several captured.

General Grenfell also recaptured another Nitral's Nek gun.

General Babington has unearthed a Krupp gun.

A detachment of Tasmanian Bushmen, under Lieutenant Colonel Wollock, engaged Scheepers' commando at Gonnoashoek. Three Tasmanians were wounded and one captured. The Tasmanians renewed the attack next day, expelling the Boers from the position without loss.

Vials captured twenty of Matthew Pretorius' force, and the remainder have scattered. Vials is pursuing another commando.

LONDON, May 12.—Lord Kitchener reports: Since the 7th, 28 Boers have been killed, 6 wounded, and 120 taken prisoners; 120 have surrendered, while 9,000 rounds of small arms ammunition, 220 wagons, 1,500 horses, and large quantities of grain and stock have been captured.

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ACTION FOR SLANDER.

LONDON, May 10.—Wernher, Bell & Co. have issued a writ for slander against Mr. Markham in connection with his recent utterances in the House of Commons.

CHINA.

LONDON, May 12.—Circumstantial advice from Singanfu state that Lanchuan and General Yungku are supporting the Empress Dowager's reactionaries, and are defying the Ministers of the Chinese court.

It is feared a revolution is contemplated, aiming at the death of the Empress Dowager.

peror, and in favor of Prince Yuan's son, Pei Chun.

The American troops have evacuated Peking, excepting the forbidden city, where the legation guard remains.

Most of the British troops at Tientsin are returning to India forthwith.

BRITISH TELEGRAPH.

LONDON, May 11.—Sir Michael Hicks-Beach, replying to Mr. Henniker Heaton, said the deficit on British telegraphs in 1900 was £600,000, making a total deficit since the government purchased them of £28,000,000. The public could not have a return on capital, and at the same time have remunerative concessions.

A CLOSE DIVISION.

LONDON, May 11.—In the House of Commons a snatch vote on the Scottish estimates gave the government a majority of twelve.

LORD SALISBURY.

LONDON, May 11.—Lord Salisbury has returned from a visit to the Riviera in restored health.

THE BARCELONA RISING.

MADRID, May 12.—Ten thousand troops occupy Barcelona. The tramways have resumed running, and factories have started to work.

TRADE WITH GERMANY.

BERLIN, May 12.—The Reichstag passed a bill prolonging favored nation treatment to Britain and her colonies. The Reichstag adjourns till November.

A HISTORIC MAMMAL.

Hawaiian Gazette.Entered at the Postoffice of Honolulu,
H. T., Second-class Matter.SEMI-WEEKLY
ISSUED TUESDAYS AND FRIDAYS

WALTER G. SMITH, EDITOR.

SUBSCRIPTION RATES:
Per Month \$4.00
Per Month, Foreign \$5.00
Per Year \$5.00
Per Year, Foreign \$6.00

—Payable invariably in Advance.

A. W. PEARSON,
Manager

TUESDAY : : : : MAY 28

Honolulu may be said to be living a strenuous life.

Surgeons will be in demand if lame ducks increase in number.

Has Pain been called yet or isn't he on the Humphreys' calling list?

Mainland measures to reform Honolulu would savor of the beam and the mote.

Politics makes not only strange bedfellows, but odd covering and lumpy pillows.

The evil genii which have shut off the ventilation may be blamed for ill-temper as well as discomfort.

The fight for good government is in the hands of the men who have won it before, and they will win it again.

For Exchange: A Jury for a Saloon Apply to Oscar Lewis, First Circuit Court, care of Hon. A. S. Humphreys.

The absence of Mr. Beckley seeing the President, may have relieved the Grand Jury of too valuable witness.

The expense attending a new production of "Uncle Tom's Cabin" in New York would suggest a new nomenclature. It should be at least Cottage."

The Paradise of the Pacific is again out in beautiful form, the frontispiece being a picture in half-tones of a native home in Puna, Hawaii. The table of contents is even more attractive than usual.

Baillif Lewis was employed to pack petit juries. He offers to pack them for the highest bidder. Judge Humphreys, who needs packed juries in his business, should raise Lewis' pay.

The Republican denies that Judge Humphreys gave law licenses to unexamined legislators before their passage of his pet bill. In other words he refused to pay in advance. We don't blame him.

The tremendous ovation given Governor Dole when his picture was thrown on the screen at the Opera House Saturday night, shows where the people of this community stand on pending questions.

Is it Americanizing the islands when a court surreptitiously gets absolute power to indict and to try any man he does not like? Is that sort of thing an improvement on the principles of absolute monarchy?

When a Judge fixes things to pack a Grand Jury to frame indictments and then to pack a petit jury to try the men indicted, it is nearly time for the Bar Association to do a little good work for justice and Americanism.

In the fitness of Mrs. McKinley, which has necessitated a complete rearrangement of the Presidential tour and the elimination of the Northern States from the itinerary, the Chief Executive shows the sympathy of the whole people. His devotion to his wife during trying experiences, his courage when before the public, all have endeared them to the mass of the people, and the health recovery of Mrs. McKinley are joyously awaited.

One of Humphreys' organs whines that the Advertiser has violated its pledge not to discuss the merits of the perjury case. As usual, there are no specifications. This paper has not discussed the perjury case at all, and the Humphreys organ cannot quote a line which shows otherwise—unless it chooses to call some pertinent ball comparisons a "discussion."

Where courts can pack juries to indict and try political enemies the liberties of the citizens are in danger. It is time for people who love fair play in Hawaii to decide what course should be pursued. Are the islands to be terrorized by an insane and vengeful Judge or be put once and for all, under the sway of justice and decency? It is an acute crisis which it needs no committee of safety to meet the entire population, minus only the ring of adventurers and their Royalist allies being sufficient to compel results.

Judge Humphreys was asked point blank in court if he intended to try Walter G. Smith. He declined to commit himself, and forced the filing of the affidavit of bias.

A simple, frank disavowal of any such intention would have settled the whole matter then and there to the credit and the satisfaction of defendant. He declined, however, to loosen his grip on the defendant, and at this hour it is apparent that the defendant next Tuesday on the important matter of an immediate trial or a continuance or a change of venue, is in the hands and subject to the disposition of his deadly foe. For Judge Humphreys to intimate that he probably would not try Mr. Smith but might do so, is to promise nothing more than nothing and for counsel to delay further, trusting to such elusive talk, would have been criminal neglect on their part. As it was, Judge Humphreys suggested laches in not objecting sooner.

AN OPEN LETTER TO J. O. CARTER, FOREMAN OF THE GRAND JURY.

It is currently reported, Mr. Carter, that the Grand Jury resents the imputation that they are a whitewashing body. We sincerely hope they are not. However, actions speak louder than words.

Legislative corruption was not the only thing which you were ordered to investigate. You were instructed that other matters were within your jurisdiction. Any public scandal brought to your notice, whether it affects high or low, is a proper subject of scrutiny.

The Advertiser directs your attention to certain facts stated on the front page of this paper, whereby it appears that while a bill was pending in the Legislature, giving to Judge Humphreys such powers as have never been conferred upon any other man in Hawaii since the days of absolute monarchy, he ignored all rules and precedents heretofore recognized by the courts of Hawaii, and transformed out of hand, practically without examination, sixteen members of the Legislature into practising lawyers.

This is not hearsay. This is all a matter of record, on the files of the Legislature and in the archives of the First Circuit Court.

If, with a bill pending before the Legislature giving him arbitrary power to arrest any man on sight, the Attorney-General had appointed sixteen members of the Legislature as deputy sheriffs, with the accompanying emoluments and honors, would you not have deemed it eminently a subject of investigation and censure, if not a subject for indictment?

If, pending a bill to give the Treasurer power to assess and exempt whom he pleased, he should appoint and commission sixteen members of the Legislature as deputy tax assessors, would you not have given the matter your official scrutiny?

If the Attorney-General had done what is hypothetically suggested, it would at best have conferred the power of temporary arrest; and in the other example the Treasurer would have simply received authority to compel the unjust payment of one per cent per annum for a man's wealth.

In the actual case now drawn to your attention, the power of arbitrary arrest and assessment fade into insignificance compared with the unlimited power conferred upon Judge Humphreys by the "Baillif bill," if his claims as to his power under such bill are substantiated.

Under that bill he claims the arbitrary right to appoint any one he pleases a baillif, which baillif, he claims, has the arbitrary, uncontrollable power to select—select is the word, not draw by lot—to select whomsoever he pleases as members of a Grand Jury, and as though that were not bad enough, he claims that he has the power to direct that same baillif, or any other man whom he chooses to invest with that title, to personally select a jury to try the men whom the personally-selected Grand Jury have indicted.

If this claim is substantiated, not merely the power of temporary arrest and limited taxation is placed in his hands, but property, honor, reputation—the very life and death of every man, woman and child in this Territory are placed in the power of this one man.

Do you think that while such a bill was pending it was consistent with judicial honor and decency for Judge Humphreys to appoint sixteen of the men who were to vote on that bill, and two of their political friends, to positions of honor and emolument, which the bulk of them could never have reached through any other way?

Do you think, Mr. Carter, that you can satisfy your own conscience by devoting your official time to searching for some small money consideration asked for a pauper franchise or to pass or defeat a liquor bill, and let this monstrous attack on the life, liberty and property of the people of this Territory, accomplished in such open and shameless manner, pass unscathed?

We ask in all good faith and earnestness, what are you going to do about it Mr. Carter?

GRAND JURY AND DISPENSARY BILL.

In charging this Grand Jury, Judge Humphreys told it to examine all accusations of bribery made against the Legislature, instancing the street and press rumors which, at the time, had most to do with the possible causes which led to the defeat of the Dispensary bill.

To find out what malign influences blighted the Dispensary bill was evidently near to the judicial heart, and strange to say, the fates worked with Humphreys, for when the Grand Jury was "accidentally" drawn, lo and behold, there appeared the following names, like Abou Ben Adhem's leading all the rest:

E. C. MACFARLANE. Wholesale liquor dealer, owner of the Hawaiian Hotel and Annex bars, owner of a wholesale liquor house and saloon on Maui and of the Commercial Saloon here.

A V. GEAR. Business partner of the auditor of Peacock & Co., Limited, owners of seven saloons, including a hotel, and of wholesale liquor stores here and in Hilo.

J. F. COLBURN. Stockholder of the Orpheum Company, which operates a liquor license.

J. C. COHEN. Stockholder of the Orpheum Company.

J. D. HOLT, JR. Partner in the firm of Lovejoy & Co., wholesale and retail liquor dealers (Anchor Saloon).

GEORGE E. SMITHIES. Son-in-law of Sam Nowlein, part proprietor of the Merchants' Exchange Saloon, Canario's Saloon in Hilo and of Seely Shaw's wholesale liquor store.

OLIVER STILLMAN. A relative by marriage of J. D. Holt, Jr., of Lovejoy & Co.

S. B. DWIGHT. Brother-in-law of the late Mr. Lovejoy and administrator of the Lovejoy estate.

Out of fifteen members of the Grand Jury there are eight interested either directly or indirectly in the liquor business.

Verily, fate is a strange thing. Perhaps the Judge was right, for if there was any monkeying with the liquor Dispensary bill, or undue conviviality at the Bungalow Club, who so likely to know of and attend to it as the liquor men?

The public can await the result with full assurance that this jury of experts will sift the Dispensary bill scandal to the bottom, and that we shall learn all of the inside history of why that bill fell by the wayside.

THE CRISIS.

There is no use in talking—this city is suffering under a sense of insult and outrage which it has not felt before since 1893. It regards itself as temporarily in the hands of political bandits, of men who, as was the case with the carpet bag judiciary of South Carolina before the overthrow, are using the powers of the court for selfish and predatory ends. As things are, no man is safe who dares raise a voice or a hand against the Judge of the First Circuit Court, and this fact disturbs business, creates factional uproar and impels a dangerous public spirit, the direction and results of which no man may now foresee.

By a singular misuse of terms, the disturbance has been brought about in the name of Americanism. If Americanism means anything more significant than a court which treat all men justly and in defected neither by passion, selfishness nor political ambition from a desire or intent to do right, then we have failed to understand the constitutional genesis of the word. The kind of Americanism we have seen in judicial politics of late is false and pretentious. Its purpose is to put the control of Hawaii into the hands of dishonest men, in whom patriotism is the last refuge of the scoundrel.

Look at the facts. A political American Judge, one who left his country for his country's good, coming to the then Republic of Hawaii, attempts to secure political control of the islands. He finally, by hook or crook, reaches an important judgeship. In his newspaper he complains that he cannot select his own Grand Jury—the law will not permit it. A corrupt and vicious Legislature, mainly composed of Royalists who hate the present Territorial Government, convenes and takes orders from the new Judge. He asks it to pass a disguised bill putting the power into his hands, while pretending to do something else, to pack grand and petit juries. The Governor does not discover that the bill is loaded, signs it and the measure becomes a law.

The Governor says he has reasons to think the Legislature is corrupt and is collecting evidence to prove it. Immediately, before the evidence is all in a Grand Jury is selected by the court's own baillif, and is found to contain fourteen of the Governor's political enemies to one of his political friends.

Acting solely on political lines, the jury summons witnesses who are not ready, and proceeds to browbeat and misrepresent them. The court intimates counsel for the friends and supporters of the Governor, consigning some of them to jail because of their attempts to protect one of the Grand Jury's victims from the judgment of a biased court.

But it is claimed, unpleasant personalities concerning the Judge contained in the affidavit constitute contempt of court. The next step, as we predict, will

be the right of change of venue.

The only logical conclusion to be drawn from the foregoing premises is, that if an attempt is made to show bias by the recital of slight evidences thereof, such as medical and water statements, such as do not suffice the Judge, the motion will fail, because the evidence is too weak.

If, however, the evidence is strengthened by the addition of evidence which demonstrates prejudice, it becomes contempt of court, the motion and affidavit are stricken from the record; the attorneys responsible therefor sent to jail, and again the motion fails, because the evidence is too strong.

If this is law in Hawaii, then Hawaiian law has degenerated back to the point where the common law was 100 years ago, when no man was allowed to plead to the truth against a charge unless, because the law held that "the greater the truth the greater the libel."

It is NOT the law of Hawaii, and in defending the right to fair trial before an impartial judge, the lawyers who have been made victims of an unjust judge are standing not only for their own rights and those of their client, but for those of the people of Hawaii.

BAILIFF LEWIS.

Birds of a feather flock together. This community knows who and what Oscar Lewis is. Judge Humphreys knows even better than the rest of us. Lewis is known both in Honolulu and San Francisco as one of the "under world."

When a man has dirty work to do he secures an agent who will do dirty work.

It was a self-evident proposition to those who knew Humphreys and Lewis that when Humphreys made Lewis baillif of his court the combination of the two meant mischief; but not even those who knew them best, dreamed that proof would so soon be at hand of what the trusted, confidential arm of the court was capable.

Elsewhere we publish the evidence of Lewis' attempt to auction off the power to pack a jury in exchange for "influence" for his own benefit. It happened this time that he made the proposition to an honest man. It demonstrates, however, the boundless possibilities not only of corruption, but the abyss over which this whole Territory is suspended, when men such as Humphreys and Lewis become partners, and obtain the power which will enable them at will to arrest, fine, imprison, convict—yes, hang if necessary to their plans, any man who crosses their purposes.

We have heretofore had proof of a packed Grand Jury today we have proof that the petit jury can be packed by the highest bidder, what the morrow may bring forth no man can tell.

Fellow citizens of Honolulu, what are you going to do about it?

GOVERNOR'S COUNCIL.

Refusal to Accept Roads Which Are Not of Suitable Grades.

A meeting of the Executive Council was held yesterday morning, Acting Governor Cooper presiding. The meeting was largely given over to discussion of the Oahu College tract's lay-out of streets and the line of the Hilo Railroad through Olaa.

A letter from J. S. Scott, chairman of the Hilo Road Board, was read, the letter stating that he had an application from the Hilo Mill Company for reimbursement for a road it had built in Hilo. The Council declined to approve the application.

Three applications to accept roads as Government highways were submitted, upon objections from Surveyor General to the grades of the same. These were the roads in the Achil tract in Olaa, the roads in the College tract and the Hilo Railroad to Olaa.

R. S. Boyd read a proposition from the Hilo plantation, in which it offered \$500 for certain water rights. This matter was deferred by the Council.

Auditor Austin, upon being called in for information, stated that it would not be necessary to ask the Legislature for appropriations for expenses following the expiration of the biennial period, as appropriations were continued with new appropriations were made, under the law.

A recommendation was made for the granting of a qualified liquor license, similar to that held by the Moana Hotel, to Mr. Lycurgus of Hilo.

All the heads of the Departments were present.

Island Mail Service.

WASHINGTON, May 15.—The Post Office Department has closed a contract with the Hawaiian Navigation Company for performing steamboat mail service between Honolulu and points on other islands in Hawaii for a distance of 200 miles each way on an irregular schedule.

The contracting company is directed to "notify postmasters by telephone as far as practicable of arrival at landing."

Cuban Protests.

NEW YORK, May 21.—The tobacco workers in Pinar del Rio Province, says a Tribune dispatch from Havana, are deluging Quesada and other members of the Cuban constitutional convention with protests against the reported intention of the War Department to admit Porto Rican tobacco into Cuba. Protests will be forwarded to Washington and also laid before the Havana commission which is revising the tariff. Pinar del Rio is the most pro-American of all the provinces and its delegates support the Platt amendment.

The Hawaiian statute says that if he cannot have a fair trial FOR ANY CAUSE a defendant may have a change of venue. The only way to secure a change of venue is to file a motion asking for it.

The rules of the court require that a motion be based on the record, or on affidavit. Bias and prejudice on the part of the judge do not appear on the record; therefore they must be made to appear, if at all by affidavit.

To show bias and prejudice on the part of the Judge an affidavit must necessarily deal with his personality and with matters which if strong enough to show prejudice must involve that which is unpleasant to him.

The very nature of the proceedings prevents it being otherwise. Facts which are pleasant to the Judge will not prove prejudice. Facts which prove prejudice will be unpleasant to him.

But it is claimed, unpleasant personalities concerning the Judge contained in the affidavit constitute contempt of court. The next step, as we predict, will

Scrofula

This root of many evils—

Glandular tumors, abscesses, pimples and other cutaneous eruptions, sore ears, inflamed eyelids, rickets, dyspepsia, catarrh, readiness to catch cold and inability to get rid of it easily, paleness, nervousness and other ailments including the consumptive tendency—

Can be completely and permanently removed, no matter how young or old the sufferer.

Hood's Sarsaparilla was given the daughter of Elias Vernon, Wawarsing, N. Y., who had broken out with scrofula sores all over her face and head. The first bottle helped her and when she had taken six the sores were all healed and her face was smooth. He writes that she has never shown any sign of the scrofula returning.

CONSOLIDATED SODA WATER WORKS CO., Ltd.—Esplanade, Cor. Fort and Allen Sta. Hollister & Co., Agents.

C. HUSTACE—Wholesaler and Retail Grocer, 212 King St.; Tel. 119. Family plantation and shop stores supplied on short notice. New goods by every steamer. Orders from the other Islands faithfully executed.

HONOLULU IRON WORKS CO.—Machinery of every description made to order.

WILDER'S STEAMSHIP COMPANY.—Freight and passengers for all Island ports.

CONCESSIONS FOR

New England Mutual Life Insurance Co.

OF BOSTON,

Attna Life Insurance Company

OF MANTFORD.

LIFE and FIRE INSURANCE AGENTS.

AGENTS FOR

EVERY PLANTATION STORE

should have one.

— WRITE TO —

SENSATION FOLLOWS SENSATION IN THE SMITH CASE

WALTER G. SMITH REPLIES TO JUDGE A. S. HUMPHREYS

Startling Facts in Addition to Those Sworn to in the Rejected Affidavit—Serious Charges Against Humphreys.

TO THE PUBLIC: At Saturday's session of the First Circuit Court, Judge Humphreys, replying to my affidavit alleging disqualification on his part to try my case in court, and giving facts in support of that plea, denied all material statements of the affidavit but two, namely; that he had offered me the editorship of his paper, the Republican (in advance of its issuance) and that he had lately sent a message expressing contempt for me personally, and for the policy I had pursued in Hawaii. The things he admitted he knew we had witnesses to prove; the things he denied, he thought, could not be proved by witnesses. Further details, which were in possession of my counsel at the time my affidavit was prepared, but were left out of that document, so that motives could not be misconstrued, will appear below.

Before meeting Mr. Humphreys' denials, let me add to the statements touching his admitted attempts to get my services for the Republican. One took the form of an offer of his personal check of \$500 to leave the Advertiser; the other was the intimation that the coming newspaper, the Republican, being sure of the appointment of Mr. Sewall as Governor, would receive all the Territorial printing at its own price, thus making the paper a fixture and giving me the assurance of a permanent editorial relation. Mr. Humphreys also said that, if municipal rule were established by Mr. Sewall's friends, the Republican would get the lion's share of the spoils. Regarding Humphreys as a man who was trying to compromise me, I took the precaution to make regular reports to Mr. Thurston and Mr. Pearson, president and manager, respectively, of the Hawaiian Gazette Company, of his various proffers. These gentlemen and one or two others I could name, are available as witnesses. Let me add, in parenthesis, that I made no mistake in regard to Humphreys' treachery, having the fact now before me from an original director of the Robert Grieve Company that, while negotiating to get me off the Advertiser, with the promise of the editorship of the Republican, Mr. Humphreys was writing to Mr. Gill to come and take that very post.

But I have not yet told the whole story of solicitation. Mr. Humphreys said that if I would join Mr. Sewall's party I could have the post of Secretary of the Territory, or at some later time become a delegate in Congress. He urged me to go with him to Waikiki and meet Mr. Sewall socially, and to seal a final agreement there. In the course of these conversations Mr. Humphreys naturally opened out his own ambitions. He had come into Hawaii, he said, with hardly a dollar, deceiving the custom house or immigration inspector as to his ability to meet the \$50 test by flashing a roll of Confederate money; and already he was in the way of rising to the highest posts where he could well reward his friends. Judicial preference was a first step only. He would yet enter the Federal Senate from the State of Hawaii. He talked like a man who believed himself to be a Napoleon, whose destiny was to walk on the loftiest levels of public life.

At the time of Judge Edings' appointment, which was coincident with his own as a judge of the Circuit Court, Mr. Humphreys called at my office and said: "I am disgusted. A judgeship given to this man Edings is of no value to me. I feel like resigning my post and going elsewhere. Mr. Smith, I can raise \$75,000. If you will agree to go to San Francisco with me and start an afternoon paper we will shake up California politics from the bottom; and with the pull I have there, I know I can get into the United States Senate before I am forty." Touching the narrative here set down I challenge Abram S. Humphreys to deny any part of it under oath, even though he has uttered these quoted falsehoods from the bench:

The Judge of this court never at any time prior to his appointment to the bench or since, said one word to Walter G. Smith about his political ambitions or his private aims, nor did the Judge of this court ever at any time enjoy any social or intimate relations of any sort with Walter G. Smith.

Touching social or intimate relations of any sort, let me say that I first met Mr. Humphreys at a social function (Dr. Cooper's)—one of the few my night duties have ever permitted me to attend; that I have been vainly urged by him to lunch with him at the club; that I have been asked by him to drink at bars where, before his appointment as judge, most of his social relations were had; and by the word of reputable people connected in various ways with the Advertiser, I can prove his attempts to get on a footing of intimacy. "Why," said Mr. Ponroy, foreman of the Gazette Co., to me recently, "the man even hung about the office stairs waiting to see you, and asking when you were likely to be in." The persistency of Judge Humphreys' calls was noticed by many of my staff and by the employees of the business department of the paper. The intimacy was plain on Humphreys' part, and would have been embarrassing to me had not my employers, at the time, known the causes of it. Unsolicited and unwelcome as that intimacy was to me, it even went so far on Humphreys' part that, in a moment of bibulous confidence, sitting, as usual, in my own office, he said: "It is the missionaries' own fault that I am against them. I was ready enough when I came here to join fortunes with them, but they ignored me."

Said Judge Humphreys: "The statement of the affiant with reference to the brother of affiant, Fred. Smith, who was formerly clerk of this court, is true in only one instance. It is true to this extent, that Walter G. Smith approached the Judge of this court and inquired of him if there was a vacancy in the clerk's office of this court. Being informed that there was, he requested that the position be given to his brother, who was a stenographer. It was expressly represented to the Judge of the court that the brother of Walter G. Smith was an expert stenographer, and as there was a vacancy in the clerk's office, the salary only being \$75 a month, and it being represented to the Judge that he could not only secure a clerk but a stenographer for that sum, and desiring it wise to do so, the Judge did offer that position to Mr. Smith's brother, and Mr. Smith's brother came from New York and assumed to fill the position. When he arrived here, it was found that he had no qualifications as a stenographer. And while possessing very many pleasing qualities, and being a young gentleman of excellent character, he was unfit for the position of acting as stenographer in the most informal matters before the court, so that in a discussion with the Chief Justice of this Territory and an Associate Justice of this Territory, it was agreed that the Chief Justice should ask him to resign upon thirty days' notice, and that was done. The statement of this affiant that he was removed summarily and without cause is an absolute, unqualified and unconditional falsehood, and is utterly inconsistent with the truth, and with the facts in the case."

Judge Humphreys, speaking falsely from the bench, declared that I asked for the appointment of my brother to a clerkship in his court, stating that the young man was an expert stenographer, and that he would work for \$75 per month. That is to say, the judge affirms that I, an editor who was constantly criticising him and his policy in the columns of the Advertiser, and refusing to accept \$500 checks and the like, was willing to compromise my position and standing with this paper for a clerkship which my brother did not want, and twice refused, in writing, before he accepted it. The Judge also says there was a vacancy in the clerk's office of his court. There was none for over two months, which gave my brother time to get here from New York. The truth about the whole matter is as follows:

Some two months before the nominations for judges of the Circuit Court were made at Washington, the Advertiser contained a local item to the effect that Frederick D. Smith, a brother of Walter G. Smith, who was about to leave New York for Hawaii, to take a position in a lawyer's office, had been shot while hunting rabbits. Time went by, and Mr. Humphreys, receiving news that he had been nominated and confirmed for judge, called at my office and said: "I understand that your son, who was coming here, was shot. As I haven't heard of his death I presume he is recovering." I explained that the young man referred to was not my son, but my brother, my son being here. Mr. Humphreys asked the age of my son, which was sixteen. "Oh," said he, "I wanted to offer him a clerkship in my court, but he is too young," explaining, incidentally, that the job was worth \$100 per month with some perquisites. I thanked Mr. Humphreys, and the subject lapsed. Meanwhile, I wrote my brother, telling of the circumstances.

Later, Mr. Humphreys, by that time on the bench, stopped me in the street and asked if my brother would not accept the clerical position, which would be vacant in July or August. I told him I did not know, but would enquire by mail. I also said that if he would, his acceptance could not affect the course of the Advertiser. My brother, having a comfortable clerkship at home, and independent means, declined. Humphreys persisted, and coming to my office, late one evening from a dinner party, and being under the influence of liquor, urged me to send a telegram by steamer the next day or two saying that, in my opinion, Frederick D. Smith ought to come at once. Then and there, in a voice which was too loud for strict privacy, Mr. Humphreys said: "You understand that this is a case of backscratching?" My reply was substantially as follows: "I told you before, that I could not use this paper to reward my friends or punish my enemies. If it's a matter of backscratching we must call the whole thing off." Mr. Humphreys' reply was: "Well, we'll waive that and I'll make the appointment, any way." Seeing that the man had been drinking, I said: "You have been dining out tonight. Tomorrow you may feel differently, let it go until then." The next day Judge Humphreys telephoned me that everything he had said the night before held good; to send for my brother at once. I did so, explaining again to Frederick D. Smith about the position Judge Humphreys offered. My brother's return message to my friendly agent, Mr. James S. Wallace, of the San Francisco Chronicle, was a declination. It was followed later by an acceptance and both messages reached me here at the same time. And yet Judge Humphreys, sitting on the bench, and lying openly, knowingly and with naked intent to deceive, states that I asked a position for my brother, alleging that he was an expert stenographer, who was willing to work for \$75 per month. Yet the matter of stenography had never been mentioned until the second or third interview, when I remarked, incidentally, that my brother had lately graduated at the Albany Business College, and knew some stenography, how much I could not tell. "Well," said the judge, "if he can take dictation I can get him extra work amounting to about \$50 a month." In due time the young man came, finding that his appointment was merely temporary at \$75, instead of \$100 per month; finding to his surprise that Judge Humphreys' own paper, bitterly assailed him as a "carpet-bagger" and "game duck;" finding that Judge Humphreys' colleagues had not, as the judge requested me to write him concurred in the appointment, and being well prepared, despite Judge Humphreys' assurance to me three days before his dismissal, that the young man was "doing splendidly" for the summary notice of dismissal, which came later. It is true that the notice

was given by Justice Frear, a man whom Judge Humphreys told me had concurred in the appointment, but who had evidently been deceived by Humphreys about the said appointment originally, and in regard to my brother's experience in shorthand writing. To sum up, Judge Humphreys hoped, by keeping Frederick D. Smith on the payroll, to induce Walter G. Smith to modify the Advertiser's criticisms of him; and finding, as our files will show, that such criticism increased, rather than diminished, he secured the discharge of my brother as soon as possible. I admit that Judge Humphreys, feeling an obligation for having induced my brother to come here, paid his passage to San Francisco. Would he have done this if the appointment had been made at my solicitation, under false pretences?

The point where Judge Humphreys' innate propensity for falsehood comes out in best relief is in the statement that a request for my brother's appointment came from me. Yet, how unreasonable such a thing must sound! I had refused Humphreys' proffered favors; at the very time I was sharply challenging his political honesty and personal rectitude in the public prints. Would I have gone to him, of all men, for patronage? In doing so would I not have exposed myself to a charge that I had asked a favor and promised editorial "backscratching" in return? Why should I have put my good name in the hands of a man whose crookedness and treachery I well knew, or suspected, risking exposure and rebuff? The idea is preposterous on the face of it—the more so because I had friends in office and in business who might have been willing to serve me within the limits of their powers, and because, as correspondence can prove, my brother did not want the court clerkship, and refused it twice. Surely, I would not have asked Judge Humphreys to do my brother a favor without first asking whether said brother wanted it done.

One word more under the head of causes. Judge Humphreys says my brother was dismissed because he was not a stenographer. Neither is his successor a stenographer. If stenography was the test, why was it applied to my brother, alone? Was it not applied to offend me, and to punish my obtuseness in not seeing good chances in the Advertiser to compliment Humphreys, as his own paper does—revelling in rhetoric about his "fearless nature," his "pale, intellectual face," his ability and dignity and power, and of the unwise of not letting him manage the daily affairs of this Territory?

It is no light thing for a man's sworn word to be assailed by a judge sitting on the bench; but one may, after all, consider the personal source. Judicial honors may be worn, and have been worn, by men of the lowest character; and in a case where such men are accused a defendant should and could with confidence appeal to the righteous judgment of public opinion. From that tribunal, already aroused by an insane abuse of power on the part of an ermine scoundrel, I now ask vindication. Who is the man who stands as my accuser? He has been a law-breaker all his mature life. Among the personal reminiscences in which he takes most delight are those revealing him as a frontier bully trying to destroy human life. He is accused by those who knew him in Arizona of being an absconder, a pious fraud, a robber of the widow and orphan. I know of no attempt on his part to refute these charges in an Arizona court. He came to Honolulu by a method which violated the law, and has made a common boast of it since. A vulgar brawler in the streets, he attacked a witness, Mr. Davey, because the latter had not given testimony to suit him, and was arrested and fined \$100 for assault and battery. Another curbstone quarrel of his own seeking resulted in his being knocked down. Incidents known to the police, incidents breaking a law which he lately proclaimed from the bench as being one of special and peculiar sanctity, reveal him as vicious and debased. He stands accused of having paid bribes to legislators with unearned licenses to practice law, and his only answer is a "pettifogging plea that the accusation is imperfect as to dates. The people of Hawaii know him as a corrupt politician on the bench, who makes it his aim to pack juries, intimidate counsel, to assail reputations, and to bear false witness against men who are compelled to go before him, seeking justice. He is known as the controlling owner of a newspaper which libels men and women without stint. Off the bench, the word of such a man would not be taken against the good name of any citizen. Will the court of public opinion decide that by the mere act of mounting the bench he becomes a man of truth and honor?

WALTER G. SMITH.

BAILIFF LEWIS OFFERS TO PACK A JURY FOR SMITH

Sworn Statement of A. W. Pearson, Business Manager of the Gazette Company.

ON THE 22d INST. Bailiff Oscar Lewis, of Judge Humphreys' court, proposed to the business manager of the Advertiser to pack the next petit jury, which may try the Smith indictment, in the interests of the defendant.

If he would use his influence in securing a saloon license for said Lewis and get the latter's partner, Turk, appointed waterfront policeman. The following affidavit sets forth the details of this infamous proposition. They will serve to show the uses to which Humphreys' Bailiff Act may be put:

I, Arthur W. Pearson, of Honolulu, Territory of Hawaii, being duly sworn, do depose and say:

That I am and since 1882 have been, the business manager of the Hawaiian Gazette Company, Limited, the publisher of the Pacific Commercial Advertiser newspaper.

That I know Oscar Lewis, recently appointed by Judge A. S. Humphreys to be bailiff of the First Circuit Court.

That on last Thursday, May the 22d, the said Oscar Lewis, accompanied by Turk, his former partner in the business of shipping sailors, called on me at my office.

That said call was not by appointment nor requested by me or on my behalf.

That said Lewis therupon said to me that he had some information to give me "upon the dead quiet," and said:

That Tom Fitch had told him that the officials, meaning Secretary Cooper and ex-Superintendent of Public Works McCandless, whose case was then pending before Judge Humphreys upon the charge of contempt, would be discharged by Humphreys next Tuesday on the grounds of hearsay evidence, but that said Judge would "burn them up" in his decision.

That said Lewis then said to affiant in substance as follows:

In the matter of Smith (meaning thereby Walter G. Smith, editor of said Advertiser, against whom a charge of perjury is now pending in said Circuit Court) he will not be tried this term, but his case will go over until next term. As bailiff I will have the selecting of the jury which will sit next term. If you will give me a list of the names of the men whom you want selected for that jury I will see that they are called.

If I do this for you I want you to use your influence to get me a liquor license to be located on Richards street below Queen street, which will have to be opened for the purpose. I already have an option on the location I also want you to try and get my partner, Turk, appointed as waterfront policeman in place of Flint, the man who now has that position.

ARTHUR W. PEARSON.

Subscribed and sworn to before me this 26th day of May, 1901.

CHARLES F. PETERSON.

Notary Public, First Judicial Circuit, Territory of Hawaii.

HUMPHREYS RUNS AMUCK AGAINST LEADING LAWYERS

Sentences Hartwell, Kinney and Ballou to Jail for Thirty Days—Acting Gov. Cooper Immediately Pardons Them.

THE DAY in the First Circuit Court which does not record a grandstand play by the judge thereof, is counted a blank in its calendar. Ordinary harrying and insulting language have given way to sensations, until sensations have palled on the palate of the personification of vanity who occupies the bench, and nothing short of explosions now suffice to round out the daily program.

Last Saturday was no exception to the rule; in fact, it witnessed the greatest explosion of the season, winding up with the sentence of A. S. Hartwell, W. A. Kinney and S. M. Ballou, three of the leading attorneys of the country, to jail, for contempt of court without right of appeal, and their prompt pardon by the Acting Governor on the ground that the act of the judge was a rank violation and abuse of official power. The following is a general statement of how it came about and what was done:

Walter G. Smith's case of alleged perjury was set for hearing at 10 o'clock. He appeared, with his counsel, A. S. Hartwell, W. A. Kinney and S. M. Ballou. Mr. Kinney inquired if Judge Humphreys intended to try the case.

The judge asked why he asked the question. Mr. Kinney replied that if the judge was not going to sit he would do nothing; but if there was no assurance that the judge would not sit, he should make a motion opposing his sitting. The judge declined to say whether he would sit or not, whereupon Mr. Kinney presented a motion asking for a change of venue, on the ground of prejudice and bias of the judge against the defendant, Walter G. Smith and J. H. Fisher. When the affidavit had been partially read the judge ordered Mr. Kinney to stop reading it, ordered the affidavit and motion stricken from the file, on the ground that it was inadmissible to himself, and ordered the three attorneys to appear at 10 o'clock and show cause why they should not be convicted of contempt of court.

At the hour named they appeared, each made written return under oath,

that the motion and affidavits were filed by them in the full belief that the judge was prejudiced against Mr. Smith to such an extent that it could not be tried before another judge; that if such were the case, he was entitled to accomplishing such result; that the motion must necessarily be accompanied by affidavits, which must necessarily state the facts on which the motion was based; that they believed that the protection of the rights of Mr. Smith, their client, required the presentation of the motion and affidavits, and that they had no other or ulterior object and intended no contempt.

The judge refused to accept the explanation, and stated that the affidavit of Mr. Smith was false in all but two or three particulars. One of the statements which he admitted to be true was that within three weeks past he had sent to Mr. Smith the following personal message by a reporter of the Advertiser, viz:

"I TAKE THIS OPPORTUNITY TO SEND WORD TO THE EDITOR OF THE ADVERTISER THAT I HAVE THE MOST PROFOUND COMTEMPT FOR HIM, AND FOR THE VICIOUS AND CRIMINAL POLICY WHICH HE IS PURSUING IN THIS COMMUNITY."

He thereupon sentenced each of the three attorneys to jail for thirty days. High Sheriff Brown immediately took the three attorneys to his office, where they remained until the mittimuses were made out, at about 5:30. Within half an hour Acting Governor Cooper issued a full pardon to each, and they were released.

THE DETAILED PROCEEDINGS.

The following are the detailed proceedings of one of the most extraordinary days in the history of this or any other court.

Upon the opening of the court the following colloquy took place:

Mr. Kinney—May it please the court, Judge Hartwell and our firm, Kinney, Ballou & McClanahan, appear for the defendant, and before the arraignment I should like to ask in an informal way of the court, whether the court intends to try this case.

The Court—Whether the court intends to try this case?

Mr. Kinney—Your honor intends to try the case?

Mr. Kinney—Because, if the court asks, I would state that if the court intends to—had intended or does intend to try the case, then I would interpose a motion opposing it, but that I do not wish to interpose my motion if as a matter of fact the court itself has made up its mind not to try the case; it would be unnecessary and would in my judgment be improper for us to interpose the motion until there had been some intimation certainly that it was necessary.

The Court—It is impossible for the court to say now whether it will try this case or not. If, without avoiding any of its responsibilities this court can assign this case to Judge Gear for trial, it will do so; otherwise, it will hear the case.

You may make any motion which you deem proper; if it is a proper motion it will be considered; if it is an improper motion it will be treated as such.

The Court—Call Walter G. Smith to the bar.

Do you desire to interpose a motion, Mr. Kinney?

Mr. Kinney—Now I interpose a motion, which if it prevails, would prevent the arraignment of the prisoner before your honor.

The Court—Read the motion

THE MOTION.

IN THE CIRCUIT COURT OF THE FIRST JUDICIAL CIRCUIT, FOR THE TERRITORY OF HAWAII:

Territory of Hawaii vs. Walter G. Smith—Perjury.

terly opposed to the Advertiser, and that said newspapers are politically opposed to each other and in open rivalry to each other in a business and political way, and the relations of the editorial and business managements of the respective papers aforesaid are very much strained;

That within three weeks affiant received a personal message from said judge through a reporter of the Advertiser in effect as follows: "I take this opportunity to send word to the editor of the Advertiser that I have the most profound contempt for him and for the vicious and criminal policy which he is pursuing in this community."

That as affiant is informed and believes, the said message was delivered by the said judge in connection with a request, from a reporter of said Advertiser acting on the direction of said affiant, to ascertain how and under what circumstances certain licenses to practice law had been issued to a large number of members of the present Legislature;

That in its issue of the 22d instant, and after the arrest of affiant for perjury, the following article appeared in the editorial columns of said Republican, being aimed at affiant, as affiant charges and verily believes, and published with a view of prejudicing the merits of affiant's cause in this court, and of arousing public sentiment against him; and said affiant verily believes and charges that said article was inspired by said judge for said purposes;

And affiant further states that, by reason of the premises and otherwise, that he, affiant, verily believes and charges that he cannot secure at the hands of said judge a fair and impartial trial of his cause herein, but that said judge is hopelessly biased and prejudiced against affiant and is not capable of giving affiant, his right to a fair and impartial trial.

(Signed): WALTER G. SMITH.

Subscribed and sworn to before me this 25th day of May, 1901.

EDITORIAL IN THE REPUBLICAN ABOVE REFERRED TO.

"One of the basest crimes.

The crime of perjury has for years been considered the most infamous that a man of education and refinement can be guilty of. There is something absolutely cold-blooded and deliberate about perjury that stamps it as beyond almost any other felony. There are palliating circumstances oftentimes in all other felonies that the law takes cognizance of. A man may commit homicide in the heat of anger or under great provocation. A man may steal when urged by hunger, or a man may turn out to be an embezzler, who in the handling of trust funds permits himself to be tempted to use them, intending to make them good at a subsequent date. In all such cases there may be, and oftentimes are, extenuating circumstances that gain for the offender a large degree of sympathy. But there is no such excuse for the perjurer. Perjury must be, and is, in the very nature of things, committed deliberately, with premeditation, and with cool calculation. The perjurer is the most debased of all creatures. He not only deliberately stamps himself as an outcast unworthy of belief, and of the company or countenance of honest men, but he stamps himself as a pariah who is ready at any time to sell honor, virtue, everything that he may gain by it. The enormity of the offense is shown by the laws providing penalties for the offense. Here in Hawaii the penalty is not more than twenty years imprisonment at the discretion of the court, a punishment ten times greater than provided for almost any other felony excepting murder."

THE AFFIDAVIT OF J. H. FISHER.

Territory of Hawaii, Island of Oahu, ss.

And now comes J. H. Fisher, and upon oath deposes and says:

That he is a stockholder and the treasurer of the Robert Grieve Publishing Co., Ltd., the owners and publishers of a newspaper called the Honolulu Republican, now being published in Honolulu;

That affiant, in his capacity as aforesaid, has the custody of the stock books of said company, and knows the ownership of the stock of the same;

That A. S. Humphreys, now Judge of the First Circuit Court of Hawaii, is a stockholder in said corporation, and is the owner of 33 shares;

That Mrs. Julia Afong, the mother-in-law of said A. S. Humphreys, is the owner of 35 shares of the stock of said corporation;

That the said A. S. Humphreys holds the proxy of and votes the stock of the said Julia Afong at all meetings of the said company;

That the shares of stock now held by the said A. S. Humphreys and Julia Afong constitute the majority of the shares of the corporation and carry the control thereof; the number of shares of said corporation now being 1,030, and the number of shares owned by said A. S. Humphreys and said Julia Afong amounting to 685;

That the said A. S. Humphreys, although not a director in said corporation, is practically in control of said company and the policy of said paper.

(Signed): J. H. FISHER.

Subscribed and sworn to before me this 25th day of May, A. D. 1901.

(Signed): GEO. L. BIGELOW,

Notary Public.

THE INTERRUPTION.

From the point above indicated, where Judge Humphreys interrupted Mr. Kinney, the proceedings were as follows:

The Court—Now you can just stop reading that affidavit, right there, sir.

Mr. Kinney—I desire to be heard upon that matter.

The Court—The court will not hear you any further upon that affidavit, sir, and you can stop right there.

Mr. Kinney—But I wish to be heard upon the right of the court to stop me from reading the affidavit.

The Court—The court will not permit you to read an insulting affidavit in this court.

Mr. Kinney—The court don't apprehend my point. I stop when the court tells me to stop. The court don't apprehend—

The Court—The court apprehends your motive, and you will not be permitted to read that affidavit, sir, in this court.

Mr. Kinney—I desire to be heard upon—

The Court—And the court has ruled that you will not be permitted to read that paper, sir.

Mr. Kinney—I bow to the ruling of the court, and ask to be heard upon that point.

The Court—And the court will not hear you upon that point.

Mr. Kinney—There, the court has apprehended my motion, and if the court denies it, I now desire to enter an exception to the refusal of the court to allow me to continue the reading of this affidavit, and further, as an abuse of discretion on the part of the court. And also, to enter my exception to the ruling of the court denying me the right to be heard upon that question as an abuse of discretion on the part of the court.

The Court—The exception may be noted and the motion for a change of venue in this case from the personnel of the court is stricken from the files, and the attorneys who filed that motion are directed to appear before this court at 3 o'clock this day to show cause why they should not be punished for contempt.

Mr. Kinney—I note an exception, not to the appearance at 2 o'clock, but I do note an exception to the striking of this motion from the files and the evidence on the ground that it is an abuse of discretion on the part of the court and a denial of the right of this defendant to be freely heard without intimidation on the part of the court on the question of the right of your honor to try him.

The Court—A man who insults and defames and belittles and besmirches the court very likely presumes that the court is prejudiced against him.

Mr. Dole—Call Walter G. Smith to the bar.

Mr. Dole—if the court please, I do not wish to act hastily or without consideration, and I would suggest to the court in order that neither the court nor the Attorney General may act hastily, that the arraignment be postponed until 2 o'clock.

The Court—Until 2 o'clock?

Mr. Dole—Yes, your honor.

The Court—The arraignment may be postponed until 2 o'clock. The arraignment is postponed solely on the request of the Attorney General. The court is ready to proceed with it, but solely on the request of the Attorney General the arraignment is postponed until 2 o'clock.

(To Mr. Smith)—You will appear at the bar of this court, sir, at 2 o'clock.

THE CONTEMPT PROCEEDINGS.

At 2 o'clock the courtroom was crowded, nearly all the members of the bar and many business men being present.

F. M. Hatch appeared for General Hartwell, and A. G. M. Robertson for Messrs. Kinney and Ballou.

The following written returns were filed by the three attorneys:

W. A. KINNEY'S RETURN.

SHOWING CAUSE BY W. A. KINNEY WHY HE SHOULD NOT BE COMMITTED FOR COMTEMPT.

Now comes W. A. Kinney, in response to the order of the Honorable A. S. Humphreys, First Judge of the Circuit Court of the First Judicial Circuit, to show cause why he should not be committed for contempt for filing a suggestion of disqualification of the Hon. A. S. Humphreys in the case of the Territory of Hawaii vs. Walter C. Smith for perjury, and motion to assign said cause to some other presiding circuit judge, and affidavits therewith, and for showing of cause, says:

That he is an attorney at law duly licensed to practice in all courts of the Hawaiian Islands, and has been so since April 17, 1883; that he is at present a member of the firm of Kinney, Ballou & McClanahan, attorneys for Walter G. Smith in the case of the Territory of Hawaii vs. Walter G. Smith, indictment for perjury; that the affidavit of Walter G. Smith accompanying the suggestion of disqualification of the Honorable A. S. Humphreys in said case of the Territory of Hawaii vs. Walter G. Smith, was dictated by respondent on the morning of Saturday, May 25, A. D. 1901, in the presence of said Walter G. Smith and other counsel in the case, from information which had previously been furnished respondent by said Walter G. Smith; that from said information so furnished respondent by said Walter G. Smith, respondent deemed it his duty as an attorney at law acting in behalf of his client to make a suggestion of the disqualification of the Honorable A. S. Humphreys on the ground of bias and prejudice, and to present the same if said Honorable A. S. Humphreys did not of his own motion decline to hear said case which opinion was concurred in by other counsel in the case, to wit: A. S. Hartwell and respondent's law partner, S. M. Ballou, and that, acting in good faith and in pursuance of his duty as an attorney, and from no improper or ulterior motive whatever, and believing that affidavits in support of a suggestion of disqualification for bias and prejudice, although necessarily reflecting most severely upon the judge to which they were directed, were necessary in behalf of his client, respondent dictated the affidavit in support of said suggestion.

OBJECTS OF THE AFFIDAVIT.

That respondent, in support of his suggestion of disqualification for bias and prejudice, relied upon the complete estrangement between said Hon. A. S. Humphreys and said defendant W. G. Smith and the causes relating thereto, and that it was necessary, as an attorney aforesaid, that the affidavit show that said estrangement was due to some deep cause than the refusal of a business proposition made by said Hon. A. S. Humphreys before his judicial appointment, to said Walter G. Smith, but that it was respondent's duty to show that said estrangement was from causes which would of necessity cause the bitterest enmity between said Hon. A. S. Humphreys and said Walter G. Smith, to wit: The refusal of said Walter G. Smith to share in the said Hon. A. S. Humphreys' political aims and plans, after a full and complete disclosure of the same to said Walter G. Smith to the extent that said Walter G. Smith became the repository of all of said Hon. A. S. Humphreys' political hopes and aspirations, to a degree which involved in his refusal a reputation not only of Judge Humphreys' offer, but of Judge Humphreys himself.

That said respondent in drafting said affidavit studiously avoided inserting therein any matters disparaging to said Honorable A. S. Humphreys, except such matters as respondent deemed absolutely essential for a prop-

er presentation of the causes of bias and prejudice sought to be shown; and respondent affirms particularly that while his client had communicated to him in connection with this matter the details of the political plans and aspirations as revealed by said Hon. A. S. Humphreys to said Walter G. Smith, this respondent refrained from including them in said affidavit because of his said determination to include nothing therein which he did not deem essential to the establishment of bias and prejudice on the part of said Hon. A. S. Humphreys toward said Walter G. Smith.

JUDGE DID NOT SAY HE WOULD NOT SIT.

Respondent did not file said motion, with the accompanying affidavits, in court until he had first ascertained by a direct question to the court whether the court would not of its own motion decline to hear the said case of the Territory of Hawaii vs. Walter G. Smith, and respondent alleges that he would not have filed said motion had the court of its own motion declined to hear said cause.

And respondent specifically alleges that in preparing said affidavit and in filing the same with the accompanying motion, respondent was at all times acting in the interests of his client, and at no time did respondent intend any contempt of court, nor did respondent insert in said affidavit any matters and things disparaging to said Judge Humphreys except such matters and things as are inseparably connected with such a motion for disqualification on the grounds of bias and prejudice, and only such matters and things which respondent believed, in his capacity as attorney at law, were necessary for the support of his motion, and for the protection of the rights of his client.

Wherefore, this respondent prays that he may be hence dismissed.

Dated Honolulu, May 25, A. D. 1901.

(Signed): W. A. KINNEY.

Honolulu, Oahu, Territory of Hawaii, ss.

W. A. Kinney, being first duly sworn, on oath, deposes and says:

That he is the respondent above named; that he has read the foregoing showing of cause and that all and singular the matters and things therein alleged are true.

(Signed): W. A. KINNEY.

Subscribed and sworn to before me this 25th day of May, A. D. 1901.

(Signed): P. D. KELLETT JR.

THE RETURN OF A. S. HARTWELL

SHOWING CAUSE BY A. S. HARTWELL WHY HE SHOULD NOT BE COMMITTED FOR CONTEMPT.

Now comes A. S. Hartwell, in response to the order of the Honorable A. S. Humphreys, First Judge of the Circuit Court of the First Judicial Circuit, to show cause why he should not be committed for contempt in filing a suggestion of disqualification of the Honorable A. S. Humphreys in the case of the Territory of Hawaii vs. W. G. Smith for perjury and motion to assign said cause to some other presiding Judge and affidavits therewith, and for showing of cause, says:

That he is an attorney-at-law, authorized to practice in all courts of the Hawaiian Islands, and has been such ever since the year of 1874. That respondent is one of the attorneys for Walter G. Smith in the case of the Territory of Hawaii vs. Walter G. Smith for perjury, and as such was present on Saturday morning, May 25th, A. D. 1901, during a portion of the time when W. A. Kinney was dictating in the presence of Walter G. Smith an affidavit in support of a suggestion of disqualification of the Honorable A. S. Humphreys on the ground of bias and prejudice and motion to assign said cause to some other Circuit Judge, and that the respondent is fully responsible for the filing of said motion and affidavit in support thereof and intended thereby no contempt of the Honorable A. S. Humphreys, but believed and still believes that the matters and things in said motion and affidavit contained were such as might properly be inserted in a motion for disqualification on the grounds of bias and prejudice of the presiding Judge and were, in the opinion of this respondent, necessary for the maintenance of said motion and were approved by this respondent solely upon that ground and without any ulterior motive whatsoever.

NECESSARY FOR PROTECTION OF CLIENT.

And this respondent further says that he deemed the filing of said motion and affidavit necessary for the protection of the interests of his client in said cause of the Territory of Hawaii vs. W. G. Smith, and that respondent approved of the preparation and filing of said motion for that and no other reason, and respondent submits that such affidavit and motion made under such circumstances, are privileged.

Wherefore this respondent prays that he may be hence dismissed.

Dated Honolulu, May 25th, A. D. 1901.

(Signed): ALFRED S. HARTWELL.

Honolulu, Oahu, Territory of Hawaii, ss.

A. S. Hartwell, being first duly sworn, on oath deposes and says: That he is the respondent above named. That he has read the foregoing showing of cause and that all and singular the matters and things therein alleged are true.

(Signed): ALFRED S. HARTWELL.

Subscribed and sworn to before me this 25th day of May, A. D. 1901.

(Signed): HENRY SMITH,

Chief Clerk Judiciary Department.

THE RETURN OF S. M. BALLOU.

Showing of Cause by S. M. Ballou why he should not be committed for contempt.

Now comes S. M. Ballou, in response to the order of the Honorable A. S. Humphreys, First Judge of the Circuit Court of the First Judicial Circuit, to show cause why he should not be committed for contempt for filing a suggestion of disqualification of the Honorable A. S. Humphreys in the case of the Territory of Hawaii vs. W. G. Smith for perjury and motion to assign said cause to some other presiding Judge and affidavits therewith, and for showing of cause says:

That he is a member of the firm of Kinney, Ballou & McClanahan, attorneys for Walter G. Smith in the case of the Territory of Hawaii vs. W. G. Smith, in defense for perjury. That he is an attorney-at-law duly licensed to practice in all courts of the Hawaiian Islands and has been so since June 15, 1886. That E. B. McClanahan, the remaining member of the firm of Kinney, Ballou & McClanahan, attorneys of record for said Walter G. Smith, has been absent from the Hawaiian Islands for more than one month last past, and is now absent and has no connection whatever with the matters and things herein referred to.

That this respondent was present during the dictation of the greater portion of the affidavit of Walter G. Smith annexed to the suggestion of disqualification of the Honorable A. S. Humphreys, and that respondent personally drafted the suggestion of disqualification and motion to assign said cause to some other presiding Circuit Judge.

AFFIDAVIT PRIVILEGED MATTER.

That respondent approved of the affidavit of Walter G. Smith as dictated in the presence of said Walter G. Smith by respondent's law partner, W. A. Kinney, and believed said affidavit to be privileged matter and to contain nothing that was not in respondent's opinion necessary for establishing the fact of bias and prejudice on the part of the Honorable A. S. Humphreys toward said Walter G. Smith.

That this respondent in approving of said affidavit aforesaid and in drafting said suggestion and motion, had no intention of acting in contempt of the Circuit Court or of the presiding Judge thereof, but believed the matters and things in said motion and affidavit contained to be necessary for the protection of the interests of his client, Walter G. Smith.

Wherefore this respondent prays that he may be hence dismissed.

Dated Honolulu, H. T., May 25th, A. D. 1901.

(Signed): S. M. BALLOU.

Honolulu, Oahu, Territory of Hawaii, ss.

S. M. Ballou, being first duly sworn, on oath deposes and says: That he is the respondent above named. That he has read the foregoing showing of cause and that all and singular the matters and things therein alleged are true.

SOLONS DO LITTLE

Senate Works and House Does Nothing.

The House again accomplished nothing beyond a few personal exchanges between the members. The first member to take up the folly was Makinalo, who defended the Accounts Committee.

"Mr. Emmeluth," said he, "asked me on Saturday for a complete report of the House expenditures. I have not had the necessary time to write out a report, so must ask your leave to present a verbal one. Mr. Emmeluth has several times, during both this and the late regular session, objected to the extravagant expenditures of the House. Now, as a matter of course, the Printing Committee heads the list with the Molokai Committee expenses second, but third, and hundreds of dollars ahead of the remaining committees, with an expenditure of \$1,000, comes Mr. Emmeluth's own Committee on Finance. It has not been my fault if prices have been foolishly paid by the House. My business is to prove warrants and bills, that is all and some of the largest bills which we have approved came from Mr. Emmeluth's committee."

"I am willing," said Emmeluth, "that every item on the bill of the Finance Committee be inspected. I am not ashamed of it. Every bill contracted by us is legitimate, but what I do claim is the fact that some bills paid were not legitimate, and it is the right of the House to know about the current expenses of the session."

Representing the Finance Committee, Emmeluth then offered a portion of the revised salary pay roll, but the report was declared to be out of order by the chair, upon Robertson's suggestion that Emmeluth had overstepped the bounds laid down for them in attempting to fix the salaries of the judicial portion of the Territorial Government. Kanino then introduced the following resolution, asking for its adoption in the name of suffering humanity:

Whereas, it is a common rumor in this city in reference to the treatment of sick people in the Victoria Hospital, that they are housed in low, filthy apartments, and one is thereby made to suffer more than necessary; therefore be it

Resolved, that a committee of five members be appointed from this House to go and investigate the condition of the Victoria Hospital and report to this House. — H. M. KANINO.

Makelau wanted to "know you know," and said that he had never heard of the place.

Emmeluth stated that the hospital was under the direction of certain members of the Anglican Church, and that it was a charitable institution in the broadest sense of the word. No one went there unwillingly, and no one was ever forced to remain there. The Victoria Hospital was primarily for the use of consumptives, and has never received patients from the Queen's Hospital, as has been stated. If the House wishes to take an active interest in this matter, let it devote funds for the erection of a consumptive hospital, and not waste time in criticising a private institution that is supported by the individual charities of those who are only able to contribute a limited amount. This resolution was then tabled.

Monksarath then came forward with a resolution that created a tempest in a teapot.

Resolved, that this House adjourn in order to give the remaining members time in which to file their applications to practice law.

— J. MONSARRAT.

Emmeluth claimed that the House had no right to ridicule or insult any branch of the Government.

Mahoe also claimed that it was out of order, to which Monsarrat retorted that Mahoe's petition to repeal the Federal quarantine law was equally out of order.

Emmeluth then moved that the resolution be rejected, as there was already enough discord between the three branches of the Government without adding present fuel to the ill-feeling, and Haehao wanted to get rid of it by throwing it out of the window.

Bad feeling was running high, and Monsarrat discreetly withdrew his resolution, whereupon, through the quiet procedure of Akina, the House adjourned until today.

This is Kumulua's wedding morn, and it is an open secret that a surprise from the members of the Legislature will greet the honorable Representative upon his taking his seat this morning.

SENATE REFERS MATTERS.

Many Appropriations Go to Committee for Report.

The Senate did not waste much time at their yesterday's session, the most of the time being taken up in reading a report from the majority of the Committee on Public Health, which was presented by Senator Achi, in part as follows:

Salary of president of Board of Health, \$7,000. As there is no provision made by the Legislature creating the office as a salaried position, we recommend that the item be stricken out.

The salary of executive officer, \$5,400, and salary for purchasing agent, \$4,000, were recommended by the committee to be combined at a salary of \$8,400.

The salary of secretary, \$1,000; salary of city sanitary officer, \$4,200; salary of food commissioner and analyst, \$2,400, were recommended by the committee to pass as in the bill.

All the items relating to the salaries of physicians in the different districts, were recommended to be passed as in the bill, with the following exceptions:

Physicians at Koloa and Lihue, Kauai, \$1,000 each, to be combined at a salary of \$2,400.

Waialua, Oahu, \$1,200, to be reduced to \$500, as there is a big plantation

there which will give the physician an ample practice to make a good living.

Molokai, \$1,400, to be increased to \$2,400, as the board states it could not get anyone to take the place at the former salary.

The physicians at Lahaina, Maui, \$2,100, to be reduced to \$1,800; Kineo, Maui, \$1,800, to be reduced to \$1,400; North Hilo, Hawaii, \$1,800, to be reduced to \$1,400; Hilo, Hawaii, \$1,200, to be changed to Hilo and Olao, Hawaii, \$1,800; South Kona, Hawaii, \$1,500, to be changed to \$1,400; North Kona, Hawaii, \$1,500, to be changed to \$1,400.

The salary of bacteriologist and pathologist, \$4,800, was recommended to pass as in the bill.

Meat inspector and veterinarian, \$4,800, on recommendation by the board, was reduced to \$4,200.

Veterinary surgeon, \$1,200; registrar of deaths, etc., \$2,400, to be passed as in the bill.

Three inspectors, at \$2,400 (\$7,200), was changed to \$2,100 (\$6,480).

Three inspectors at \$1,920 (\$5,760), was recommended to pass as in the bill.

The salaries of milk, fish and assistant fish inspectors, were recommended to pass as in the bill.

The office of assistant clerk, \$1,200; janitor and messenger, \$720, were combined at a salary of \$1,680.

The salaries of stenographer, morgue attendant, and officers for registered women, were recommended to pass as in the bill.

The item of non-leprosus children, etc., \$2,400, was recommended to pass as in the bill.

The salary of superintendent of sewers, \$3,000, and inspector of plumbing, \$3,600, were combined at a salary of \$6,600, and assistant of sewers, \$3,000.

Removing of garbage, \$24,240, was reduced to \$18,840.

Operating excavator, \$45,000, was recommended to pass as in the bill; segregation of lepers, \$62,400, recommending the item pass at \$60,720; maintenance of hospital, \$4,200, to be reduced to \$3,840; superintendent and assistants of insane asylum, \$3,888, was recommended to pass at \$25,584.

Hoping the Senate will approve above report, respectfully submitted,

W. C. ACHI.

J. E. KAOHI.

I do not concur. N. RUSSEL.

After the reading of the report, Senator Carter moved the report be accepted, in order to bring the matter before the House, as he had an amendment that he wanted to make to the report.

Senator Achi moved the report be tabled, to be taken up and considered with the Appropriation bill, which was adopted.

There being no further reports, the Appropriation bill was taken up under the head of unfinished business.

All the items under the head of Commission of Public Instruction, were upon a motion made by Senator "Oily Bill," referred to the Committee on Public Health and Education.

On motion of Senator Crabbe, the following items under the head of Commission of Public Lands, were passed as in the bill:

Incidentals (including land patent books, etc.) \$5,250

Preliminary roads and trails 7,000

Expense of filing boundary certificates 300

All the items under the head of Commission of Agriculture and Forestry, were, upon a motion made by Senator Crabbe, referred to the Committee on Agriculture and Forestry.

All items under the head of Survey Department were referred to the Committee of Public Lands, on a motion made by Senator Kaluokalani.

The general expenses, support of non-leprosus children of lepers, support of hospitals, etc., under the head of Board of Health, was next taken up.

Senator Achi moved they proceed item by item, as the committee having charge of the other items under the Board of Health, had investigated this department also, and were therefore ready to furnish the House with a full report of each item. This, however, did not satisfy "Oily Bill," who seemed to be in a hurry to get out of the building, and moved this department be referred to the Committee on Public Health, with instruction to furnish a written report on the matter. The motion carried.

All the items under the head of military band and expenses incurred over appropriation for year ending December 31, 1900, were upon a motion made by Senator Crabbe referred to the Committee on Military.

Under the head of auditing department, the item of incidentals and traveling expenses, \$6,000, was passed as in the bill.

The action on the balance of the bill which refers to its administrative features, was delayed until the appropriate items had been acted on.

Senator Achi presented the following resolution, which was adopted:

"Resolved, That the Attorney-General is humbly requested to inform this House whether we can appropriate money to aid the Queen's Hospital or institutions or not."

"Oily Bill" then moved to adjourn until 2 o'clock Wednesday afternoon, which carried. The Senate adjourned at 3 p. m.

ELEVEN CADETS SUFFER.

Direct Result of Recent Disorders at the Military Academy.

WASHINGTON, May 21.—Secretary Root has approved the action of the board of officers at West Point which recommended the dismissal of five cadets and the suspension of six others. This sustains the course of Col. Mills and the other officers in the recent disturbance at the academy. The names of the cadets will be posted at West Point tomorrow.

Mrs. Gage's Funeral.

CHICAGO, May 21.—The remains of Mrs. Lyman J. Gage arrived from Washington early today accompanied by Mrs. Pierce, Mrs. Gage's sister, Mrs. Hendee of Tonkawa, N. Y., D. H. Burnham and Rev. N. D. Hills, who officiated at the funeral services in Washington yesterday, and who will conduct the rites tomorrow. The body was temporarily placed in the receiving vault at Rosehill. The services tomorrow will be strictly private.

American Jockey Wins.

LONDON, May 21.—At the York spring meeting today the Stanley stakes was won by Schenna, ridden by Lester Raft Jenkins had the mount on Oxford, which came in second.

MACHINISTS ON STRIKE

Thousands of Men Want Shorter Hours.

WASHINGTON, May 21.—The storm centers of the general strike of machinists throughout the country today are in the vicinity of Cincinnati, Ohio, and on the Pacific Coast. The number of firms that have signed agreements was augmented today by about a hundred, which brings the aggregate of the estimates making the concessions to 1,000, in round numbers, during the past three or four days. Save in one or two instances, as at Scranton, the allied trades have not yet been affected. It is claimed at the general headquarters of the machinists, however, that where agreements are not effected by this afternoon or tomorrow morning, many men in the allied trades will go out in the individual shops where the machinists already are out. The estimate of President O'Connell, of the National Association of Machinists, as to the number of strikers to day, reports approximately the same figure given yesterday, 50,000. The executive board is in session here watching the progress of the strike.

President O'Connell said this morning: "The reports from all sections are very favorable. The indications are that the great majority of firms will have reached agreements with the men today or tomorrow. The dispatches coming in from various cities indicate that conferences will be held today with a large number of firms. Many men who were working yesterday went out today. The additions made last night and this morning to the list of strikers and the number that will return to work this morning with their demands granted will about balance each other."

Today's reports show that only three railroads in the United States are now affected by the strike, namely, the Central Vermont, Lehigh Valley and Delaware, Lackawanna and Western. The situation according to reports received today at headquarters is summarized as follows:

Practically all the trouble between Kansas City and the Pacific Coast has been adjusted. At Kansas City about 600 men are out; but a few small firms have signed the agreements.

San Francisco reports an almost complete tie-up. About 6,000 men have struck, however, with eleven firms outside of the Union and Rison iron plants and the Fulton Shipbuilding Company. At Seattle 700 men have struck. There are 500 strikers at Tacoma. The trouble has been adjusted at most of the other Pacific Coast points.

At New York about 2,600 men have struck. A settlement has been reached with the remainder which involves about 50 per cent of the firms. In Chicago all but several of the small shops have adjusted matters. About 2,000 men are out in Boston. Many men are out in the cities of Cincinnati, Hamilton, Dayton and Alliance. In Cincinnati a dozen firms have made the concession since Saturday and about 3,000 men are out. Alliance reports a complete tie-up, with 500 men striking. Only a few men are out in Cleveland, practically a general strike having been effected there. All the firms in Columbus, Ohio, and Chicago Heights, Ill., have made agreements.

Favorable reports come from the South. All the establishments employing machinists in Norfolk, Va., have signed agreements. Of the establishments in Wilmington, Del., four firms have signed agreements, leaving about half of the original strikers out. There is a complete tie-up reported at Newburgh, N. Y., all of the 300 machinists being out, while all of the men at the Brooks locomotive works at Dunkirk, N. Y., have struck. The Naugatuck Valley, in Connecticut is generally affected. All are out at Bridgeport, Derby, Ansonia, Waterbury, Stamford and New Britain, but all the firms in Danbury have signed agreements. In New Haven eleven firms signed yesterday, but 600 men still are out. About 500 are out at Springfield, Mass. In Philadelphia about half of the firms have reached agreements, leaving 2,500 men approximately still out. All are striking at Elgin, Ill. At Syracuse, N. Y., twelve establishments have conceded the demands.

NEW YORK, May 21.—At the headquarters of District No. 15, International Association of Machinists, it was said today that only two firms of any importance in this city have refused to grant the request of the machinists for a nine-hour day. The two firms are the H. H. Hoag Printing Press Company, employing 700 machinists, and the Garvin Machine Company, where 500 men went on strike yesterday.

CINCINNATI, May 21.—About 300 machinists who struck yesterday returned to work today in the smaller shops which have agreed to the demands of the men. In a few of the shops which signed the agreement, the men are still out because the employers insisted on conditions not recognized by the machinists. There are now fifteen or sixteen shops where machinists are at work and two more shops signed the agreement today. The machinists who have struck are rapidly organizing their fellow-workers who struck with them into the various unions to which they are eligible. The leaders are well satisfied with the outcome. A mass meeting was held this morning and speeches of encouragement were made.

THURSTON CASE IS DEFERRED.

The W. A. Thurston contempt case went over in the Supreme Court yesterday morning. This conclusion was reached by Chief Justice Frear, who denied the extra time for the completion of work by the court. The chief justice was on the bench when court opened. Judge Hartwell and Mr. Ballou appearing for Mr. Thurston, and F. E. Thompson for the order of contempt.

Thompson stated that his side had no objection to postponement.

Judge Hartwell addressed the court and said that on the day when the petitioner was sentenced to imprisonment, and while waiting in the courthouse for the writs, he went with his counsel to the chief justice's chambers and stated the points on which the habeas corpus could be sued out, namely, the illegality of the Grand Jury, as well as the confidential communication from a client of the counsel, and urged that a special term of the Supreme Court be ordered in order that the full court might hear and decide matters of such great importance; that the chief justice gave counsel for the petitioner an opportunity to present this request to the associate justices who came into the chief justice's chambers to hear them, and after some consideration by the chief justice and his associates, counsel were informed that the full court would not sit in the case, but that the matter would have to come before the chief justice alone.

Mr. Ballou, of counsel, said that the petitioner was ready to proceed, and he hoped that the case would be heard at once.

Attorney General Dole said, in reply: "I wish to say that under ordinary circumstances it would be my duty as Attorney General to represent the order of the lower court in this matter. Under existing circumstances, however, I feel it my duty to decline to take part. It is my idea, and it is only in justice to the lower court, that both sides of this case be represented by men wholly unbiased by recent circumstances and events, and the sympathies that may have been affected by those events. For that reason I have asked Mr. Thompson to represent the order in this matter, and I may add that Mr. Thompson the order has represented

HUMPHREYS RUNS AMUCK AGAINST LEADING LAWYERS

(Continued from Page 6.)

He then proceeded to read the affidavit down to the point where the court will itself stop.

Judge Humphreys thereupon read that portion of Mr. Smith's affidavit previously read by Mr. Kinney, and printed above.

HUMPHREYS DENOUNCES SMITH.

Proceeding, Judge Humphreys said: When this point was reached the court instructed counsel to desist from reading this affidavit any further; the court then and now believing it to be a malicious attempt to edit the records of this court by the defendant Smith, assisted, aided and abetted by his counsel in the case.

The court will now say that during the noon recess it has read the entire affidavit in its entirety as filed by the defendant Smith, and that each and every statement in said affidavit is wholly, unconditionally and unequivocally false, slanderous and malicious with the exceptions which the court will now designate:

That this court did offer to the affiant the editorship of a paper in which this court—the Judge of this court, was then and is now interested. That offer was made prior to the appointment of the Judge of this court to the position which he now holds. That offer was repeated. The offer was made on two occasions to the affiant Smith of the editorship of the Honolulu Republican, a paper in which the Judge of this court is a stockholder.

The Judge of this court never at any time prior to his appointment to the bench or since said one word to Walter G. Smith about his political ambitions or his private aims, nor did the Judge of this court ever

DREARY DAY IN SENATE

Wrangle Over the Appropriation Items.

Saturday's session of the Senate was one of the busiest held during the extra session. The independent members who, heretofore had shown unwillingness to refer any items in dispute to committee, tumbled into the committee "hand wagon" and referred nearly all the items considered to the different committees. They did not stop at mere single items, but referred the items of whole departments in a lump, and without any wrangling.

On account of the absence of the chaplain, Senator Kalauokalani offered the prayer, following which the Appropriation bill was attacked.

The salaries of normal inspectors at \$4,000 each, were the first items considered. Progress on the bill was stayed for an hour, while the members indulged in their usual outpour of "hot air."

Senator Russel, who was on the committee that recommended the item, said that each of the inspectors had to pay as much as \$50 per month for traveling expenses, and therefore he did not think their pay should be reduced.

Senator J. T. Brown, he of the generous proportions, did not want any inspectors at all.

"What are they good for? Nothing," was his argument. If any inspectors were needed at all, he said one could do the work. During the past year he had only seen the Hawaiian normal inspector once, and therefore thought the salary paid him was too large for the amount of work he was doing.

Senator Paris said he had seen the gentleman referred to twice. Two trips during the year would occupy two months. "What is he doing the other two months?" asked J. T. Brown. "In my opinion," he concluded, "paying these men the large salaries they receive is like making them a present of so much, for they don't have anything to do."

"I have been in Hilo three years," retorted Senator Russel, "and during that time have not even sighted him. Is that any reason why he and the worthy Senator (J. Brown) were idle? No. In my mind such talk as is indulged in by Mr. J. Brown is childish."

Senator Carter then introduced an amendment to the effect of striking out the normal inspector for Hawaii, and arranging for three other inspectors—one for Kauai and Oahu, outside of Honolulu, at \$6,000; one for Maui, Molokai and Lanai, at the same amount, and one for Honolulu at \$5,000. The amendment received no second.

After a great deal more of repetition and talk by a few of the members, the item passed as in the bill.

The item of pay roll, support of schools, \$600,000, which was recommended by the committee having it in charge, that it pass as in the bill, was passed without any objection.

The item of salaries of school agents \$4,500, passed as in the bill.

The item of superintendent of the boys' school, was reduced from \$3,500 to \$2,500, on the recommendation of the committee having it in charge.

Senator Carter wanted to introduce an item of salary of physicians for Reform School, \$600, but it was decided to consider such items under the head of Public Health Department.

It was at this juncture that the stampede occurred, which resulted in nearly all of the balance of the items in the bill being referred to the committee.

All the items under the head of agriculture and forestry reports were referred to the Public Lands Committee. All items under the Survey Department went to the same committee.

The items alluded to are as follows:

COMMISSION OF AGRICULTURE AND FORESTRY.

Pay of Commissioner \$ 7,200.00
Pay of Entomologist 4,000.00
Pay of Chief Forester 3,000.00
Pay of Gardener 2,040.00
Pay of Forester 2,040.00
Expert Forester 1,800.00
Laborers, Makiki and Nuuanu 25 Laborers, Nuuanu Forest (0 more men) 6,450.00
1 Laborer, Tantalus 520.00
1 Laborer, Tantalus (new) 432.00
Laborers in Nurseries 3 Laborers 1,256.00
1 Laborer 528.00

Forests and Nurseries, General Pay of Stenographer and Typewriter 1,200.00
Pay of Office Boy and Messenger 720.00
Pay of Wagon Driver 538.00
Parks and Squares—
Pay Roll, Makiki and River Parks (new) 2,040.00
Pay Roll, Thomas and Emma Squires 2,040.00

\$ 26,472.00

SURVEY DEPARTMENT.

Salary of Surveyor \$ 6,000.00
Salary of Chief Assistant 5,400.00
Salary of First Assistant 4,800.00
Salary of Second Assistant 4,200.00
Salary of Third Assistant 3,600.00
Salary of Messenger 1,200.00

\$ 23,400.00

All items under the head of Board of Health Department were referred to the Committee on Public Health and Education and are as follows:

BOARD OF HEALTH.

Salary of President of Board of Health \$ 7,200.00
Salary of Executive Officer 5,400.00
Salary of Secretary 4,000.00
Salary of City Sanitary Officer 4,200.00
Salary of Food Commissioner and Analyst 4,200.00
Pay of Government Physician 4,200.00
Walman, Kauai 1,440.00
Koloa, Kauai 1,440.00
Lihou, Kauai 1,440.00
Kealia and Hanalei, Kauai 1,800.00
Ewa, Oahu 960.00
Waianae, Oahu 1,200.00

\$ 36,472.00

All items under the head of Board of Health Department were referred to the Committee on Public Health and Education and are as follows:

DEPT. OF PUBLIC WORKS.

Public Works—
Public Works and Traveling Expenses \$ 3,500.00
Travelling Expenses, Road Engineer accompanied with tourist 1,500.00
Repairs to Furniture and Additions to Government Buildings 50,000.00
Landings and Buoys, Hawaii 8,000.00
Landings and Buoys, Maui 2,000.00
Landings and Buoys, Molokai 500.00
Landings and Buoys, Honolulu 40,000.00
Landings and Buoys, General 5,000.00
Landings and Buoys 2,000.00

\$ 108,500.00

The Department of Public Works was then taken up and on motion of Senator Carter a committee of five, composed of two members from Oahu and one each from the other Islands, was appointed by the President to take charge of the items.

Senators White, Achi, Crabbe and Nakapaha.

Following items are the ones over which there will have a little trouble.

A SPRAINED ANKLE QUICKLY CURED.

"At one time I suffered from a severe sprain of the ankle," says George E. Cary, editor of the Guide, Washington, Va. "After using several well recommended medicines without success, I tried Chamberlain's Pain Balm, and am pleased to say that relief came as soon as I began its use, and a complete cure speedily followed. This remedy has also been used in my family for frost bitten feet with best results. I cheerfully recommend its use to all who may need a first-class balm." Sold by all dealers and druggists. Benson, Smith & Co., Ltd., general agents, H. T.

Wahina, Oahu	1,200.00	Dredging Honolulu Harbor	25,000.00
Koolauupo and Koolauka	1,440.00	Expense Pilot Boats	1,000.00
Molokai	1,440.00	Electric Light, Honolulu	24,000.00
Lihouina, Maui	2,150.00	Electric Lighting, Hilo streets	4,000.00
Wailuku, Maui	2,400.00	Lighting Streets Other than Ho-	
Kihel, Maui	1,800.00	nolulu and Hilo	1,500.00
Makawao, Maui	1,440.00	Curbing and Paving Govern-	
Hana, Maui	2,100.00	ment Sidewalks	10,000.00
Kohala, Hawaii	1,200.00	Fencing and Grading Govern-	
Hamakua, Hawaii	1,440.00	ment Lots	2,000.00
North Hilo, Hawaii	1,800.00	Printing and Advertising	8,500.00
Hilo, Hawaii	1,200.00	Quarantine, Diseased Animals	2,000.00
Puna, Hawaii	1,800.00	Government Pounds	1,000.00
Kai, Hawaii	1,440.00	Department Incidents	4,000.00
South Kona, Hawaii	1,560.00	Bureau of Water Works—	
North Kona, Hawaii	1,560.00	Running Expenses	8,000.00
Pay Roll, General Expenses—	4,800.00	Repairs to Reservoirs	8,000.00
Bacteriologist and Pathologist		General Repairs	12,000.00
Meat Inspector and Veterinary		Running Expenses, Pumping	
Registrar Deaths, etc.		Plants	45,000.00
3 Sanitary Inspectors at \$2,400.		Running Expenses, Market	1,000.00
3 Sanitary Inspectors at \$1,520.		Hilo Water Works	1,000.00
Milk Inspector		Laupahoehoe Water Works	300.00
Fish Inspector		Koala Water Works	200.00
Assistant Clerk		Public Grounds, General	5,000.00
Stenographer		Honolulu Park Commission	12,000.00
Morgue Attendant		Fire Departments—	
Jaritor and Messenger		Hilo Fire Department	30,000.00
Officer for Registered Women		Hilo Fire Department	2,400.00
Purchasing Agent		Roads and Bridges, Hawaii—	
Non-leprosy Children		Curbing and Paving Govern-	
Inspector of Plumbing		ment Sidewalks, Hilo	8,000.00
Assistant Inspector of Plumbing		Hilo	25,000.00
Operating Excavator		Puna	12,000.00
Segregation of Lepers		Kau	4,000.00
Maintenance of Hospital		South Kona	4,000.00
Sept. and Assts., Insane Asylum		North Kona	4,000.00
	\$27,948.00	South Kohala	3,000.00
All the items under the head of military and band were referred to the Committee on Military and are as follows:		North Kohala	4,000.00
Captain and Adjutant	\$ 1,200.00	Hamakua	4,000.00
Ordnance Sergeant	1,200.00	Roads and Bridges, Maui—	
Chief Musician	720.00	Lahaina	2,000.00
Armenor	1,680.00	Wailuku	3,000.00
Servant	600.00	Makawao	3,000.00
Janitor	1,080.00	Hana	2,000.00
Clerk	1,200.00	Molokai	1,000.00
Clerk	1,200.00	Roads and Bridges, Kauai—	
	\$ 10,080.00	Ewa and Waianae	1,000.00
Salary of Bandmaster	\$ 5,640.00	Walalau	2,000.00
Salaries of 30 Bandsman	29,160.00	Koala	2,000.00
Salaries of 2 Lady Vocalists	1,800.00	Koalaupoako	5,000.00
	\$ 36,690.00	Waimea	2,000.00
All the following items under the head of Auditing Department were passed as in the bill:		Hanalei	4,000.00
Salary of Auditor	\$ 7,200.00	Kawauhau	1,000.00
Salary of Deputy Auditor	4,800.00	Roads and Bridges, General	10,000.00
Clerical Assistance	15,000.00	Road Damages—	
	\$ 21,000.00	Road Damages, all Islands	50,000.00
			\$ 1,047,000.00
Under the head of current expenses, the offices of the Secretary of the Territory of Hawaii were referred to the Committee on Ways and Means, and are as follows:			
Incidentals	\$ 3,000.00		
State Entertainments and Ceremonies	3,000.00		
Preservation of Archives	3,000.00		
Expenses of Election	15,000.00		
Printing and Advertising	1,800.00		
Compiling and Publishing Revised Laws	8,000.00		
	\$ 33,800.00		
The following items in the Treasury Department were referred to the Committee on Ways and Means:			
Incidentals, Treasurer's Office	\$ 11,000.00		
For Expenses of Shipping Hawaiian Silver Coin and Return of American Silver	20,000.00		
For Discount on Mutilated or Abraded Coins	5,000.00		
Interest on Bonded Debt, Commission and Exchange	500,000.00		
Incidentals, Tax Office	11,500.00		
Incidentals, Registrar of Conveyances	2,800.00		
	\$ 550,300.00		
The Judiciary Department and the Department of the Attorney General were referred to the Committee on Judiciary and are as follows:			
JUDICIARY DEPARTMENT.			
Expenses of Supreme and Circuit Courts (to include pay of Grand Jurors at the same rate as trial jurors)	\$ 36,000.00		
Purchase of Law Books, Supreme Court	1,500.00		
Purchase of Law Books, Circuit Courts other than First Circuit	600.00		
Compiling, Printing and Binding Hawaiian Reports	3,000.00		
Compiling and Publishing, Digest, Hawaiian Reports	5,000.00		
Stationery and Incidentals	2,000.00		
Traveling Expenses, Substitute District Magistrates, First Circuit	200.00		
Traveling Expenses, Judge and Clerks, Second Circuit	200.00		
Traveling Expenses, Substitute District Magistrate, Second Circuit	200.00		
Traveling Expenses, Substitute District Magistrate, South Hilo, Fourth Circuit	400.00		
Traveling Expenses, Substitute District Magistrates, Fourth Circuit	200.00		
Traveling Expenses, Substitute District Magistrates, Fifth Circuit	200.00		
Traveling Expenses, Judge and Clerk, Third Circuit	300.00		
Traveling Expenses, Substitute District Magistrates, Third Circuit	200.00		
Traveling Expenses, Judge and Clerk, Fourth			

SALE IS ORDERED

Pain to Buy Maunalei Sugar Co.'s Property.

T. McCants Stewart, the receiver in the case of Gear Lansing et al vs. the Maunalei Sugar Company, Limited, yesterday filed a supplementary report in the premises, giving fuller particulars than in his former report of the condition of the Maunalei cane crop, its prospects in the market, the difficulties of its disposal, etc., and report in also further receipts and expenditures. The receipts mentioned make a total of \$161, received from the Inter-Island Telegraph Company, Limited, in payment of rent due as rental from a cottage, the said sum being placed on deposit in the Bank of Hawaii to the credit of the receiver; expenditures are enumerated for desk room, inspection of steam launch and typewriting, in the sum of \$20, the same having been withdrawn from said account, leaving a balance of \$626; further expense is shown by voucher bill for printing to the extent of \$12.50.

In his report the receiver explains the difficulty of disposing of the cane crop; the same has been irrigated only by the rains, and has not been cultivated for six months, therefore it is regarded by purchasers as an inferior crop; there is no mill on said plantation, and by reason of the scarcity of labor, transportation is expensive and difficult; several sugar companies have been interviewed with a view to the use of their mills in grinding said cane, payment for use of mill to be made in cane or sugar, but all refuse, because they have all the cane they can grind in their own crops, and the market is at present very stringent, so that the purchase of cane is not a particularly desirable investment; cash compensation for grinding said crop was refused by one mill. In the matter of transportation, Wilder's Steamship Company have been consulted, and their rental of boats for transportation of cane is \$100 per day per boat; the harbor at Maunalei is rough, and by reason of this, previous experience has shown that method of transportation to be expensive, much time being lost, and no profits being derived.

These particulars and many more, Mr. Stewart reports that he explained at a meeting of the creditors called for the purpose, and also that delinquent stock assessments could not be collected.

In view of these facts he further urges the sale to W. H. Pain, recommended in his former report, his offer being to pay \$12,000 cash, to assume \$17,000 indebtedness due the Rison Iron Works, and to get rent released in the sum of \$15,000, a total compensation of \$44,000.

As to the adequacy of this compensation, the receiver says that one Edgar Halstead, Jr., visited said plantation on May 15th, and after surveying the premises, said that the value of the entire property would be fixed by him at \$55,000 or thereabouts. The offer of W. H. Pain, at \$44,000, is the nearest to the value that the receiver has been able to obtain, though he has diligently sought better terms.

Mr. Stewart also recommends again payment of his own fee in the sum of \$2,000, that of his attorney, F. W. Hankey, in the sum of \$1,000, for general agent \$250, and for agent at Maunalei, \$300.

Vouchers are filed with the receiver's report for expenditures as itemized.

SALE AUTHORIZED.

Upon hearing the petition the First Judge yesterday afternoon issued an order authorizing the sale by said receiver of said property to W. H. Pain for the sum and considerations offered in the following terms:

"That T. McCants Stewart, the receiver herein, be and he is hereby authorized and empowered to sell to W. H. Pain of Honolulu for the sum of \$12,000 cash, the lease and the goods, chattels and effects and all other assets, except uncollected capital and cash now in the hands of said receiver, as set forth in the inventory filed by said receiver; provided, however, that said W. H. Pain shall, as a condition precedent obtain for the said Maunalei Sugar Company, Limited, a release of and from all claims for rent now due, amounting to the sum of \$15,000, or hereafter to become due under said lease; and shall assume and discharge all liability of the said company to the Rison Iron and Locomotive Works, amounting to the sum of a little over \$17,000; and said receiver is hereby authorized and empowered to execute and acknowledge a bill of sale conveying said assets and property to said W. H. Pain."

"Second. That upon said receiver filing with the clerk of the court the receipt of said Maunalei Sugar Company, Limited, by its treasurer, acknowledging the payment to it of the said sum of \$12,000 less said receiver's fees, together with the cash balance in bank and at plantation store, that the above-entitled action be and is hereby dismissed, said receiver discharged and his bond cancelled and said receiver dismissed from all liability herein."

BEWARE OF A COUGH.

A cough is not a disease, but a symptom. Consumption and bronchitis, which are the most dangerous and fatal diseases, have for their first indication a persistent cough, and if properly treated as soon as this cough appears are easily cured. Chamberlain's Cough Remedy has proven wonderfully successful, and gained wide recognition and extensive sale by its success in curing the diseases which cause coughing. If it is not beneficial it will not cost you a cent. For sale by all dealers and druggists. Johnson & Co., Ltd., general agents, H.

OBJECTS TO HULA DANCE

Commissioner R. Davison Arrives at Buffalo.

Commissioner Rose Davison, representing the Department of Education at the Pan-American Exposition at Buffalo, met with a brilliant reception accorded a cordial welcome, and at once looked up the space set aside for the Hawaiian educational exhibit. Miss Davison considers the apportionment ample for the needs of the 2,000 pound exhibit, which has undoubtedly arrived in Buffalo and been installed.

The following interview with Miss Davison in the Buffalo Sunday Morning News of May 10th is evidence that Miss Davison intends to display the educational work of the Islands to offset the hula dancers' exhibition on the Midway.

Miss Rose C. Kahalapue Davison, a special commissioner to the Pan-American from Hawaii, arrived in Buffalo yesterday, and is stopping at the Iroquois. Miss Davison holds a commission from the Department of Public Instruction, has sole charge of the department exhibit, and was sent to Buffalo to secure more suitable space and to install it. It is an unusual and signal honor to be bestowed upon a woman, but her personality shows that the confidence was not misplaced.

Moreover, the appointment had the endorsement of the Hawaiian Legislature and the Honolulu press.

Miss Davison is a native of the Islands, and was educated in the schools of Hawaii. She has been a teacher by profession and holds a life certificate. For the past three years she has held the position of assistant secretary of the Board of Education of Honolulu.

Miss Davison is accompanied by Miss N. M. Smith, an attractive young Hawaiian woman of wealth and position, whose father has held the position of clerk of the Hawaiian Supreme Court for nearly twenty years. Both Miss Davison and Miss Smith have English blood in their veins, and are highly educated. This is their initial visit to America, and they speak in terms of enthusiasm of the courtesy and hospitality of their countrymen in the United States.

"I thought," said Miss Davison, "that the Hawaiians could not be outdone anywhere in the world in warmheartedness and hospitality, but your people are more than our equal. On our way across from San Francisco we stopped for several hours at Salt Lake City, and were fairly overwhelmed with kindness by the Governor and other State officials there."

HOW EXHIBIT ORIGINATED.

Hawaii's representation at the Exposition is described by Miss Davison as purely accidental. No one had heard of the Pan-American until the subject was brought to the attention of some Hawaiian officials by a tourist. From this incident the idea was conceived of exhibiting the work of the public schools of Hawaii. It met with instant favor, and a bill was promptly introduced in the Legislature and passed, appropriating \$3,500 to make an exhibit.

Superintendent of Public Instruction Atkinson thereupon designated Miss Davison to represent the department and install the display, an appointment which was commended in flattering language by the Honolulu newspapers.

Through correspondence with the Commissioner of Education at Washington, the Exposition allotted space of 4x6 feet for the Hawaiian exhibit. Nothing daunted, however, Miss Davison collected her exhibit on representative lines, relying upon her own visit here to secure the space the exhibit merits. Within three hours after the arrival of these energetic women they went out to the grounds and sought out Director-General Buchanan. Miss Davison told Mr. Buchanan about the exhibit, and asked for space at least 20x40, which he assured her she should have, and more if needed.

Where to get the space proved to be a perplexing problem. Superintendent Peabody of the Department of Liberal Arts, on being applied to, declared he had no room for it. The Colonial building in the United States group was ransacked for space, and that, too, was found overcrowded. As a last resort, the Department of the Interior was appealed to, and promised to make room for the exhibit.

CHARACTER OF THE EXHIBIT.

"Our exhibit illustrates not only the scholastic side of our system, but manual training as well," Miss Davison explained. "We teach children darning, weaving, sewing, embroidery, carpentry, carpenter work and other useful occupations, beginning in a small way in the lower grades and carrying the work throughout to the highest. The boys are made to learn sewing, too, to enable them to put a patch on their clothes and sew a button on, and the girls at the Normal School learn to do carpentry, which is illustrated in a well built, large sewing chest made by a 16-year old pupil.

"The labor artistic taste of the Hawaiians," Miss Davison continued, "is shown in the weaving of picture frames from lauhala leaves and bamboo, of baskets, fans and other useful articles, while the making of straws for hats is illustrated by several beautiful samples."

English is almost the universal language in Hawaii, and Miss Davison expressed surprise that anyone should suppose the native language was a factor. "Why," said she, "the smallest Hawaiian children speak English and Hawaiian of the better class speak English and write it."

The subject turned to annexation, and Miss Davison declared that there was no longer any feeling of dissatisfaction, even among the older inhabi-

tants. "Of course annexation was recognized as advantageous by the younger generation, but at first the older inhabitants could not grasp the significance of it, and were afraid of it. The benefits have been so apparent to the Islands and the people, however, that today annexation is accepted by the inhabitants generally with great satisfaction."

GREAT FUTURE FOR ISLANDS.

"Has the American administration tended to improve the business conditions and development of the Islands?" was asked.

"I would not say that it has to any remarkable extent, but it is true that it has resulted in the opening up of new plantations and new enterprises in Honolulu. We are sure that there is a great future ahead for the Islands under this Government."

Miss Davison spoke in terms of ill-concealed regret that the Hawaiian village on the Midway should be exploited as typifying life in the Islands. "These dancers are common people of the lowest strata of Hawaiian humanity," said she, "and what is more, they are never seen and seldom heard of in Hawaiian life. It seems to me that it is very unfortunate that we should be so misrepresented in this way."

Miss Davison appeared to be somewhat relieved when she was assured that the American people were pretty well informed in matters of this kind, particularly in the light of the fact that the older nations were not far behind in exhibitions of this character. It was not denied by the Hawaiian ladies that they were proud of the musical accomplishments of their countrymen, of which the village can boast a good example. Music is a natural talent with the Hawaiians, Miss Davison says, and even the smallest children sing extremely well.

Miss Davison's exhibit for the Exposition weighs something over 2,000 pounds, and was shipped from San Francisco by fast freight May 2. It is due here tomorrow, and she will do her utmost to have it installed by Dedication Day.

LAWYER FINED FOR CONTEMPT

Mr. Johnson Nickeus has the distinction of being the first attorney of the Hilo bar who has been punished for contempt. In the case of Howard Hitchcock vs. Hamanamana, called up before Judge Little on May 21, Mr. Nickeus attempted to have a stipulation of his client withdrawn from the court on the ground that it was filed by a former attorney in the case. Judge Little's refusal to allow such practice and a few caustic remarks from the bench caused the attorney to lose his temper.

"I wish to note an exception to your honor's ruling, on the ground that the stipulation does not allow any judge to be entered up in this case in vacation, and I wish to have the record show that," Mr. Nickeus began.

"You can't take any such exceptions. If you want to except to the ruling of this court you may do so, and the exception will be allowed, but to permit you to inject into the record something which is not true and which will contradict the rest of the record is a kind of a practice which I won't have in this court as long as I am judge. I am going to see that the records are kept straight," responded his honor.

Here Mr. Nickeus lost his head and became contemptuous.

"I know what the rights of this court are, and I know what this court thinks they are. I have got some rights here and I am going to protect them."

"Mr. Clerk, just register a fine of fifty dollars against Mr. Nickeus, and Mr. Ballif, just take Mr. Nickeus into custody until the fine is paid," was his honor's direction.

After a consultation with his law partner, Mr. Wise, the late member of the firm noted an appeal to the Supreme Court, and Mr. Wise asked that bail be fixed. This did not tend to smooth things down, and the lawyer in custody found out the fact that contempt cases are not appealable.

The amount of the fine was not forthcoming, and Mr. Nickeus was allowed to sit in the court room until the work of the morning was finished. A little meditation served to dissipate the feeling entertained by the court, and after an apology and mutual exchange of more charitable expressions the fine was remitted.

HUTCHINSON SUGAR CO.

Overdraft Being Paid by Reduction in Dividends.

SAN FRANCISCO, May 15.—Hereafter the business year of the Hutchinson Sugar Plantation Company will end on December 1st, instead of on March 1st, and the annual meetings of the stockholders will be held on the fourth Tuesday in March instead of on the second Tuesday in May. At yesterday's annual meeting the manager reported that there had been forty-eight inches of rain against twenty-nine in the previous twelve months, but that the rain in the uplands had been much less, thereby delaying grinding until the storm in February, since which time the water had remained fairly well on

From the financial statement it appears that the receipts of the Hutchinson amounted to \$17,755.45, including \$19,100.20 balance on hand from the previous twelve months. The disbursements were composed of the items of \$17,104.56 for expenses, \$35,207.35 for betterments, \$9,783.95 for store goods, and \$300,000 paid out in dividends, making a total of \$74,095.89, leaving an overdraft of \$30,340.44, which the reduction of 5 cents a share in dividends will pay off in six months.

THE STRENGTH OF ALUMINUM.

Aluminum, or aluminium, as it is more properly called, has not been used in the manufacture long enough for its qualities to be generally known, and metal-workers frequently ask about its strength. Under transverse strain it is not very rigid, but it will bend nearly double before breaking. Its tensile strength is greatly increased by forging and pressing at a temperature of 600 degrees Fahrenheit, and if alloyed with nickel it is much stronger than when pure. Cast aluminum is about equal in strength to cast iron in tension, but in resisting compression it is comparatively weak.

The subject turned to annexation, and Miss Davison declared that there was no longer any feeling of dissatisfaction, even among the older inhabi-

NEWS FROM HAWAII ISLE

Items Run Mostly in the Political Line.

A meeting of the Republican Territorial Committee will be held in Honolulu on the 28th inst. for the purpose of selecting someone to succeed Hon. H. M. Sewall as national committeeman. It seems that Mr. Sewall has taken up his residence in the States and will probably not return to Hawaii for some time. As the national committeeman has some influence with the Administration in the matter of appointments, the Territorial Committee is of the opinion that there should be a resident of the Islands appointed before the next session of Congress. It is understood that Cecil Brown, Senator from Oahu, and Sam Parker are in the field for the place and that the friends of both candidates are working hard for them.

It is extremely doubtful if the national committee of the Republican party will take any dictation from the Territorial Committee relative to the successor of Mr. Sewall as national committeeman, so that the slower progress made in this direction the better will be the results. It is to be hoped that the person selected will be one who understands organizing and who has influence with his party. The national committeeman from this Territory should be a man thoroughly versed in politics and with a cool head. Mr. Parker's acquaintance with the delegates at the last national convention may help him toward the goal, but it is doubtful if he would take enough interest in a campaign to make him valuable to the party.—Hawaiian Herald.

This being the first Memorial Day since the admission of Hawaii as a Territory of the United States, unusual preparations are in progress to have a fitting celebration. The memorial sermon will be preached Sunday evening, May 26th, by Comrade Cruzan in the Foreign Church, who will speak on "The Debt We Owe Our Patriot Dead." The church will be elaborately decorated; the patriotic music will be in charge of Mrs. Lewis and the literary exercises in charge of Mrs. Terry, Company D, Hilo Light Infantry, will attend in a body and act as escort to the G. A. R. The Veterans and Sons of Veterans will meet in the Library room at the Foreign Church at 7:30 Sunday evening.—Herald.

The Hawaiian Herald says in "Around the Coffee Shop":

"The mistake they made was in not making Emmeluth plumbing Inspector," said the Cheerful Liar. "Yes, he would take the job all right, I don't know any job he would refuse. He has cut a big hole in the time allotted for the session and that's about all he has done so far as I can see. He seems to be playing to the gallery on every proposition, and it amuses me. I've known John for twenty years and I have watched him through his political career about as much as anyone. In 1889 when he was one of the Provisional Government he was called the 'black angel' and wanted the Queen deposed. Why, he was so radical that everyone else in the oligarchy got scared because they thought he was going too far in his ideas of a change of government. As he was a P. G. he had to be a soldier, and if I remember rightly he was made corporal in one of the militia companies and, say, you should see him on parade; he was the funniest man I ever saw. In 1893 he was still a soldier and cried louder for the blood of Wilcox than anyone in the bunch. If I'm not mistaken, he even damned Wilcox on one or two occasions and wanted to see him hanged or shot. Well, when annexation came and the election followed and John put himself on record as wanting to see Wilcox go to Congress, I looked about me for a better model of consistency than Emmeluth could furnish. I was plumb disgusted when I read it in the newspapers and he has done nothing in this session of the Legislature to convince me that he is anything more than a jackass. But then the legislative woods is full of them and John Emmeluth is by no means lonely in his position. To prove that the man will not judge a thing on its merits you have only to point to his record in the House, when comment was made to an article in one of the Honolulu papers, the editor, or supposed editor of which is an official of the Government. Because he alluded to the members as Simeons, Emmeluth threatened to knife him on the salary question when the Appropriation bill came up. That is not what a fellow can call square."

HILO NOTES.

Charles Hierwir, brother-in-law of V. M. Fulcher, died at the Hilo Hospital on Sunday morning and was buried from there this afternoon. He had been a resident of Hilo for two years past and was lately in the employ of the Waiakea Mill Co. He was about 47 years old and had been in poor health for some time. The Wilder's Steamship Co. has agreed to hold the Kinau until the night of July 6 provided the races in Hilo continue for three days.

George C. Stratemeyer, port surveyor in Honolulu, has resigned his position. He came up on the Kinau and will spend a few days in Oahu.

A letter was received at the Tribune office this week from R. H. Rycroft, who was at the time of writing in Yokohama. C. G. Campbell, who went from Hawaii with Mr. Rycroft, will probably remain in Yokohama, as he expects to engage there in newspaper work.

Henry West is out for the position of road supervisor for Hilo when there shall be a vacancy. He has secured the names of about 150 residents of town and country to a petition which he will present to the Hilo Road Board.

Thomas C. Ridgway has been appointed district magistrate for South Hilo, having concurrent jurisdiction with Judge Hapai.

H. M. Whitney, editor of the Planters' Monthly, is visiting Hilo and the plantations in this portion of Hawaii.

Vessels From Tahiti.

The barkentine George C. Perkins, thirty-one days from Tahiti, and the barkentine Tropic Bird, thirty-eight days from the same place, reached San Francisco on the 13th instant, with cargoes of copra and South Sea products. Both had light winds and unevenful passages.

SAVE YOUR HAIR

With Shampoos of



And light dressings of CUTICURA, purest of emollient skin cures. This treatment at once stops falling hair, removes crusts, scales and dandruff, soothes irritated, itching surfaces, stimulates the hair follicles, supplies the roots with energy and nourishment, and makes the hair grow upon a sweet, wholesome, healthy scalp, when all else fails.

Complete External and Internal Treatment for Every Humour. Consisting of CUTICURA SOAP, for removing all crusts and scales and softening the thickened cutaneous Ointment to instantly stop itching, inflammation, and irritation of the skin and scalp, and CUTICURA ESSOINT, to cool and cleanse the blood. A SINGLE SET is often sufficient to cure the severest humour, with loss of hair, when all else fails. Aust. Depot R. Towns & Co., Sydney, N

SHIPPING INTELLIGENCE

ARRIVED AT HONOLULU.

Friday, May 24.

O. S. S. Sonoma, Van Oterendorp, from Sydney, Australia, and Pago Pago.
Arr. by Niuau, Josselyn, 15 days from New York.
Arr. via Paramita, Backus, 60 days from New Zealand.

Saturday, May 25.

O. S. S. Zealandia, Dowdell, from San Francisco.
Arr. via Marion Chico, Weedon, 45 days from Newcastle.
W. stmr. Kinau, Freeman, from Fiji and way ports.

Sunday, May 26.

W. stmr. Golden Gate, Mason, from Kalakaua.
W. stmr. Kaiulani, Mitchell, from Hawaii.
I-L stmr. Noeau, Wyman, from Punaauia.
Schr. Lady, from Oahu ports.
Schr. Concord, from Pasifico.

Monday, May 27.

Am. schr. Robert Lewers, Underwood, 22 days from Port Gamble.
Am. bk. Skagit, Robinson, from Port Gamble.
U. S. tug Iroquois, Pond, from trial cruise.

I-L stmr. Mikahala, from Kauai.

ARRIVED AT HONOLULU.

Tuesday, May 28.

Am. bk. Gerard C. Tobey Gove, 17 days from San Francisco.
Am. schr. H. D. Bendixen, Olesen, 46 days from Newcastle.
O. & O. S. S. Coptic, Rinder, from San Francisco.

SAILED FROM HONOLULU.

Wednesday, May 29.

Am. schr. Rosamond, Ward, for San Francisco with sugar.
Am. bk. Ceylon, Willer, for Leyuan Islands.

I-L stmr. Mana Loa, Simson, for Hawaii and Maui ports.

I-L stmr. Kauai, Bruhn, for Kauai.

S. S. Stratigraphy, Gordon, for San Diego.

Saturday, May 30.

O. S. S. Sonoma, Van Oterendorp, for San Francisco.
U. S. tug Iroquois, Pond, for trial cruise.

Gen. bk. Telus, Nielsen, for New California in ballast.

Am. bk. W. R. Flint, Johnson, for San Francisco.

I-L stmr. James Makie, Tollett, for Kapaa.

Monday, May 31.

Schr. J. A. Cummings, Scarle, for windward Oahu ports.

REAL ESTATE TRANSACTIONS.

May 14. No. 254—Kuaumoo to C. W. Booth; Grant 210 (100 acres), Hakalau, Hilo, Hawaii. Consideration \$500.

No. 255—Kaiulue to C. W. Booth; interest in place land. Consideration \$1.

No. 256—T. Heu to C. W. Booth; portion of R. P. 127, lot 285 (house lot), Paines, Honolulu, Oahu. Consideration \$1.

No. 257—J. Gouvea and wife to Territory of Hawaii; portion of R. P. 270, Niihau, Hamakua, Hawaii. Consideration \$500.

No. 258—D. H. Davis to H. E. W. Wight; Patent 400, Paiau, Hamakua, Hawaii. Consideration \$500.

No. 259—H. E. W. Wight and husband to A. L. and H. Louisos; R. P. 400 (not issued), Pepee, Hamakua, Hawaii. Consideration \$1,750.

No. 260—George H. Paris and wife to A. Clark; piece of land (all square feet), Paines, Honolulu, Oahu. Consideration \$500.

No. 261—Koleka to J. U. Uzuma; interest in estate of Wm. Hou. Consideration \$500.

No. 262—G. P. Wilder and wife to H. H. W. Wilder; Patent 400, Paiau, Hamakua, Hawaii. Consideration \$500.

No. 263—G. E. Boardman to S. Kubey; piece of land, corner Lunailio and Kapola-street, Honolulu, Oahu. Consideration \$1,000.

No. 264—F. Silva to K. E. A. Cooper; lot 36 (4,500 square feet), block B, Kukuhau, Honolulu, Oahu. Consideration \$1,000.

No. 265—F. Silva and wife to E. B. Wallace; lot 35 (4,500 square feet), block B, Kukuhau, Honolulu, Oahu. Consideration \$1,000.

No. 266—P. A. Schindorf, Jr., et al. to W. M. Campbell; lot 31 (4,500 square feet), block A, Kukuhau, Honolulu, Oahu. Consideration \$1,000.

List of deeds filed for record May 21, 1901:

First Party Second Party Class.

Lane Kalo, Jr.—E. Kamakau et al.

B. Kamakolu & L. Asua—A. P. Jones

J. Andrews—J. L. McCandless

P. K. Maihi—S. Andrews

Arrived From Hilo.

Wild's steamer Kinau brought the following persons from Hilo and way ports on Saturday: Mrs. C. J. Deering, L. A. Parisa, Miss F. Deming, Miss Helen Robertson, Miss Twomey, S. P. Correa, Mrs. E. A. Judson, Kong Lung, Miss C. Judson, W. Berlitz, W. M. Graham, Dr. Raymond, Miss L. E. More, J. W. Ensign, J. W. Johnson, C. V. Sturdevant, Rev. W. E. Geil, Murauka, M. Louisa and wife, Master Kawaiaha, C. P. Mulvany, Hon. Sol Kawaiaha, Miss Ivy Richardson, Miss M. Burien, and child, J. Mallen, J. E. Rocha H. B. Gohr, Mrs. H. K. Paniani, E. Hartman, Captain Harrison, Martin Lee, F. Klamp, Mrs. G. Gardner and children, T. E. Hobbs, Mrs. R. Scott, F. E. Richardson, Palmer, P. Woods, M. Matt McLean, John Hind, A. P. Taylor, Yo no Kame, J. W. Lloyd, Hon. A. N. Kepoiakal, Miss Ellen Holt, Miss Lizzie Holt and ninety-eight deck hands.

President's Wife

SAN FRANCISCO, May 21.—With the return of Mrs. McKinley's health there is a new order of things about the temporary Executive Mansion at Clay and Laguna streets. President McKinley is feeling so much encouraged over the continued improvement of his wife that he is again taking interest in the affairs going on around him.

All the reports from the sick-room yesterday were of a most reassuring nature, and it is confidently believed by all who are near the Presidential family that it is now but a matter of a few days when the return to Canton can be made. The early morning bulletin is said by Secretary Cortelyou at 9 o'clock stated that Mrs. McKinley had passed the best night since her recent illness began.

Twenty-eight trivial cases occupied Judge Wilcox's attention yesterday.

NEWS OF WORLD CONDENSED

Hawkefield experienced a 342,000 fire last week.

The gundout Concord has been ordered to Alaska.

Fresh political troubles are reported from Spain.

The Duke and Duchess of Cornwall are at Brisbane.

Heavy rains are reported from Northern California.

Carnegie donates \$10,000,000 to universities in Scotland.

Thomas F. Garrity, the California lawyer, is dead.

Thomas H. Britton, the jockey, has committed suicide.

The reports that King Alexander will abdicate are denied.

The Conservatives in Germany have angered the Emperor.

The striking stevedores of Havana have agreed to arbitrate.

There are now eight States west of the Rockies seeking for oil wells.

Ex-Senator Sprague of Redding, Cal., is reported ill with smallpox.

A high Russian official says that England prevents peace in China.

The city of Nelson, B. C., was threatened with flood at last reports.

The French revolutionists celebrated the Commune anniversary on May 18.

Weston Howland, discoverer of the method of refining petroleum, is dead.

Tom Loftus, the comedian, has inherited an estate and coronet in England.

The Archbishop of Canterbury privileges the pastors of his faith to marry.

The Baldwin-Ziegler expedition will be ready to sail for the Arctic next March.

Miss Lola J. Whittle of San Jose, while despondent, committed suicide last week.

Philippines are reported to have attacked Americans in which two soldiers were killed.

The Korean Government has leased 400 acres to Japan for a settlement at Manapao.

Several ranches near Tracy, Cal., have been flooded by the recent breaking of levees.

Liquor dealers have been barred from membership by the Woodmen of the World.

A. H. Ashley, District Attorney of San Joaquin county, has been charged with felony.

Ex-Congressman John M. Glover of St. Louis is reported to have met death near Love, Col.

The Indian braves have defied the Government agent in Wyoming and an outbreak is feared.

Boers are again crossing the Orange river and a new campaign in the eastern district will result.

An 1,100-mile run in an automobile was recently made in ten days between New York and Chicago.

The engagement of Lady Mary Sackville to Hamilton Dent has been announced in London.

The Chinese raisin growers at Fresno will lease their vineyards to the company for three years.

In a St. Louis fire last week a fireman was thrown from a ladder to the pavement sixty feet below.

A drunkard who is frequently arrested in Los Angeles claims to be a nephew of L. Pierpont Morgan.

The Presbyterian convention at Philadelphia has protested against the publication of Sunday papers.

Sir Courtney Boyle, A.C.B., permanent secretary to the Board of Trade of London since 1892, is dead.

The Insular cases were still under advisement of the Supreme Court at Washington at last report.

Rev. E. A. Stires will leave Grace Church, Chicago, to become rector of St. Thomas' Church, New York.

Krueniger's reports from South Africa are still of an encouraging nature. He believes the Boers will eventually win.

The Anchor line steamer California, from Naples, has been detained in quarantine at New York on account of smallpox.

Three lives were lost in a flood of molten metal which resulted from an accident in the steel plant of an Ohio company.

The managers of the late San Jose carnival were severely arraigned by the ministers for permitting a midway in the arrangements.

The Navy Department has been informed of the departure of the Newark from Hongkong for Colombo on her way to the United States.

J. Sweeney, president of the Rainier Brewing Company of Seattle, had his foot crushed during the launching of the Ohio at San Francisco.

Ex-Constable Fred. Begorow of San Jose is to be tried for the murder of Joseph Czech again, this being the fifth trial he will have undergone.

Lieut. Richard P. Townley, a retired officer of the Navy, is to be court-martialed for alleged participation in the commissary frauds at Manila.

The customs authorities have prohibited the entry of typewriters into Turkey, fearing seditious documents, the author of which could not be identified.

President Loubet received J. Pierpont Morgan in special audience and the latter will thank the President for the decoration of the Legion of Honor.

A parade was held in Germany recently in honor of the Czar of Russia, Emperor William making a speech and concluding with a "hoch" to the Czar.

The mysterious theft of diamonds from a Chicago jewelry store has been explained; rats had carried the jewels off and they were found in the rats' nest.

Sweeping changes are being made in the matter of household arrangements by King Edward. Queen Victoria's old servants being superseded by new ones.

An explosion supposedly from a bomb underneath the building, wrecked the Camerloch National Bank on May 21 recently, injuring W. H. Raas, the cashier.

General Alger III.

Sugar Company Wins.

WASHINGTON, May 21.—The United States Supreme Court today decided the case of the American Sugar Refining Company vs. the United States in favor of the sugar company.

The case was a proceeding to determine whether duty should be collected upon the value of sugar when it is shipped or when it is landed, the value having increased while the weight decreased by virtue of its drying out while in transit.

The Court affirmed the decision of the Circuit Court of Appeals for the Second Circuit, which held that the tariff assessment must be on the basis of the value upon arrival.

General Alger II.

NEW YORK, May 21.—A Journal special from Detroit says: Now that General Alger is aboard ship en route to Carlsbad, Germany, his friends say he is hopelessly ill. The fact has been concealed for months out of consideration for him. He may live for some months or even longer, but his end is only a question of time. Ever since General Alger's enforced retirement from the Cabinet his physical condition has been precarious. For weeks at a time he has been confined to his room. Calers have been told that he malady was merely due to gall stones.

Salary Decimation.

WASHINGTON, May 21.—Justice Gray has announced the opinion of the United States Supreme Court in the case of Robert W. Shufeld, a retired captain in the Army. The case involves the question of the exemption of his salary as an officer of the Army from an order of court to pay alimony to a divorced wife.

The courts of the District of Columbia held the salary to be exempt on the ground that it is a gratuity from the Government and could not be so attached.

The opinion reversed these decisions, holding salary under such circumstances to be subject to an attachment.

Mohican is on Her Way Home.

SAN DIEGO, May 21.—The United States training ship Mohican sailed this morning on a cruise to the Hawaiian Islands. During her stay of ten days in this port, on her return from Magdalena Bay, there were sixty-two seizures among the apprentice boys.

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Lieut. Col. George H. Davis of the Judge Advocate's office has been ordered to Washington for the purpose of becoming Judge Advocate General. Gen. Lester will retire and Col. Clous and Barr will be appointed and immediately retire and Col. Davis will then become Judge Advocate General.

The special Treasury agent at Seattle has issued a pic of behalf of the starving natives of Aleutian Islands and of Alaska generally, who are reported to perish.

Fifty Serbian gypsies were refused landing in New York and returned to Europe, although they had \$3,000 in gold.

Judge C. D. Emery, a pioneer lawyer of the Pacific Coast, is dead.

Horace W. Morris, the Kentucky tobacco dealer, shot himself May 21, the cause being despondency from ill-health.

Peter Anderson of the Steinway piano factory, shot and killed his aged father in Astoria May 21.

A board of survey has been ordered to report upon the value of the transports McAllister, Sedgwick and Creek.